UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/3/Add.18
22 June 1993

ENGLISH
Original: SPANISH

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1993

Addendum

CHILE

[22 June 1993]

CONTENTS

		Paragraphs	Page
	INTRODUCTION	1 - 19	5
I.	GENERAL MEASURES OF IMPLEMENTATION	20 - 44	9
	A. Measures taken to harmonize national law and policy with the provisions of the Convention	20 - 25	9
	B. Existing or planned mechanisms at national or local level for coordinating policies relating to children and for monitoring the implementation of the Convention . .	26 - 37	12
	C. Measures to publicize the Convention . .	38 - 44	14

CONTENTS (continued)

		Paragraphs	Page
II.	DEFINITION OF THE CHILD	45 - 62	16
	A. Minimum age for legal and medical counselling	48 - 49	16
	B. Access to employment	50	16
	C. Minimum marriageable age	51	17
	D. Giving testimony in court	52	17
	E. Criminal liability	53	17
	F. Deprivation of liberty	54	17
	G. Imprisonment	55 - 57	18
	H. Consumption of alcohol and drugs	58 - 59	19
	I. Civil and civic rights	60	19
	J. Compulsory education	61	19
	K. Sexual consent	62	19
III.	GENERAL PRINCIPLES	63	19
	A. Non-discrimination	64	20
	B. Best interests of the child	65 - 66	20
	C. The right to life, survival and development	67 - 68	20
	D. Respect for the views of the child	69	20
IV.	CIVIL RIGHTS AND FREEDOMS	70 - 77	21
	A. Name and nationality	70 - 71	21
	B. Preservation of identity	72	21
	C. Freedom of expression	73	21
	D. Freedom of thought, conscience and religion	74	21
	E. Freedom of association and of peaceful assembly	75 - 76	22
	F. Protection of privacy	77	22

CONTENTS (continued)

		Paragraphs	Page
V.	FAMILY ENVIRONMENT AND ALTERNATIVE CARE	78 - 88	22
	A. Parental responsibilities	79 - 80	22
	B. Separation of the parents	81 - 83	22
	C. Recovery of maintenance for the child	84	23
	D. Children deprived of a family environment	85	23
	E. Adoption	86 - 88	23
VI.	BASIC HEALTH AND WELFARE	89 - 139	24
	A. Bio-demographic background	89 - 105	24
	B. Strategies for the control of maternal and child morbidity and mortality	106 - 116	27
	C. Strategies to safeguard the mental health of infants and juveniles	117 - 127	30
	D. Goals for the year 2000	128 - 139	32
VII.	EDUCATION, LEISURE AND CULTURAL ACTIVITIES	140 - 220	35
	A. General background	141 - 151	35
	B. Preschool education	152 - 172	38
	C. Primary education	173 - 189	44
	D. Secondary education	190 - 203	48
	E. Assistance programmes for students	204	52
	F. Environmental and ecological education programme	205	53
	G. The MECE institutional programme	206 - 208	53
	H. Out-of-school education	209 - 220	54

CONTENTS (continued)

		Paragraphs	Page
VIII.	SPECIAL PROTECTION MEASURES	221	57
	A. The National Service for minors	221 - 231	57
	B. Children in conflict with the law	232 - 238	60
	C. Children in situations of exploitation . .	239 - 241	61
	CONCLUSIONS	242 - 260	62
	STATISTICAL ANNEX		67

Introduction

1. This report was prepared pursuant to article 44 of the Convention on the Rights of the Child, which stipulates that the States parties shall undertake to submit to the Committee on the Rights of the Child periodic reports on the extent of progress in implementing, at the national level, the rights laid down in the Convention. It was drawn up in accordance with the General Guidelines Regarding the Form and Content of the Initial Reports to be Submitted by States Parties (CRC/C/5).

2. This report is the result of a joint effort between the Government of Chile and civil society represented by the Support Group for the Convention on the Rights of the Child (GAN), and was drawn up with full respect for the truth, on a pluralist and democratic basis, with the single purpose of contributing to full compliance with the Convention and to the improvement of living conditions and opportunities for children and young people in our country.

3. The government body responsible for preparing the report was the Ministry of Planning and Cooperation (MIDEPLAN), with the invaluable support of the Ministries of Justice, Education, Health and Foreign Affairs as well as the National Service for Minors (SENAME). It should be noted that MIDEPLAN will be the body responsible for supervising the implementation of the National Plan of Action in Favour of Children (PNI), an exceptionally well-conceived instrument which provides an excellent complement to the Convention and which sets objectives and guidelines for the current decade in order effectively to guarantee the rights of the child.

4. In 1990, Chile ratified the Convention on the Rights of the Child. This ratification was the result of the unanimous approval by both chambers of Congress of the text of this international treaty. The President of the Republic, through Supreme Decree No. 830 issued by the Ministry of Foreign Affairs in August 1990, subsequently proclaimed the Convention as a national law, publishing it in the Diario Oficial on 27 September 1990, the date of its entry into force.

5. It should be pointed out that article 5, paragraph 2 of the Constitution of Chile recognizes as a limitation to State sovereignty the respect of the basic rights inherent in all human beings which are guaranteed by the Constitution and by the relevant international treaties ratified by Chile.

6. It follows that the incorporation of the Convention into the Chilean legal system implies the recognition of the constitutional status of its provisions in general. However, the full entry into force of the rights guaranteed under the Convention requires the adaptation of the legislation, judicial practice and administrative system relating to minors. To this end both the Government and civil society hope, in the near future, to carry out the studies needed to ascertain and correct any gaps, shortcomings or contradictions in the national legislation and judicial practice, in order to bring them into line in both general and specific terms with the provisions of the Convention. This would contribute to ensuring the full implementation of those provisions both in the country's legislation and in actual practice. It should be noted that the Parliament will have an essential role to play in

this legislative harmonization process, although in fact, there remain certain limitations to its active cooperation. Firstly, the fact that the Upper Chamber (Senate) consists of appointed Senators, a feature inherited from the previous Government, has led to a parliamentary minority in that body, restricting the legislative capacity of the democratic Government. Secondly, the Constitution approved in 1980 defines a political system which is distinctly presidential and in which the Parliament has reduced legislative power and leadership, a situation which is illustrated by the fact that during the period from 1990 to 1992, more than 90 per cent of legislation was initiated by the Executive.

7. Chile subscribes to the Convention's definition of the child as every human being below the age of 18 years. This means that the various national laws, which establish majority at different ages for different situations, will have to be harmonized. Indeed, this discrimination points to the lack of a definition of the child as a subject of law.

8. Our country is at a stage of democratic transition initiated by the Government of the Concertración de Partidos por la Democracia (Coalition of Parties for Democracy) presided by Mr. Patricio Aylwin Azócar, the first democratic Government following 17 years of an authoritarian military Government which committed serious violations of human rights, inter alia, with respect to children. Thus, according to the estimates of the Chilean Human Rights Commission made on the basis of the Retting report (drawn up by the Truth and Reconciliation Commission), 166 children under 18 years of age were either murdered, or disappeared or died, and the figure rises to 427 for children under 21 years of age (the age of majority in force under Chilean legislation), not to mention the 15 unborn children whose mothers were either executed, or disappeared or died before giving birth. Of the total of 2,920 cases studied in the above-mentioned report, the figures indicate that 15 per cent were cases of direct violations suffered by children under 21 years of age, resulting in death.

9. However, consideration must also be given to the problems of children who were tortured or whose parents were tortured, of the children of political prisoners or of persons condemned to exile or internal banishment or deprived of their political rights, whose lives have been deeply affected and whose prospects for family or personal development severely jeopardized. In order to deal with this situation, the Government of President Aylwin drew up a set of measures aimed at establishing the truth and permitting justice to be done, at assisting and compensating the victims and at re-establishing a climate of national reconciliation. These measures are set forth in detail in Chapter I, Section A, paragraphs 20-23 of this report.

10. The re-establishment of democracy and the commitment on the part of the current Government together with civil society to giving priority to children in national development and improving the standard of living of children and young people in our country is reflected not only in the rapid promulgation of the Convention as part of the country's legislation, but also in the elaboration and implementation, starting this year, of a National Plan of Action in Favour of Children in accordance with the Commitment made by the President of the Republic at the World Summit for Children in 1990. This plan represents the first effort to draw up, at the government level and in close

cooperation with civil society, a set of realistic measures and guidelines with financial backing to improve substantially the prospects for children, especially the poorer ones, of an entirely humane existence by the end of the twentieth century.

11. The situation of children in Chile varies. The demographic situation is illustrated by the provisional data revealed by the census conducted in 1992, according to which the total population of the country for that year was 13,231,803, of which 32.3 per cent (4,273,872) were under 15 years of age. The figure for the category referred to in the Convention of 0 to 18-year-olds is 37.7 per cent (4,988,389).

12. According to the National Social and Economic Survey (CASEN) of 1990, approximately 80 per cent of children under 14 years of age live in urban areas and 20 per cent in rural areas (settlements with a population of less than 2,000), a distribution consistent with that of the population as a whole, and the ratio of the sexes was practically balanced (50.8 per cent males and 49.2 per cent females). Worth noting is the great concentration of children in three regions of the country (Metropolitana, Valparaíso and Bío-Bío), which alone account for 62 per cent of the total child population. This distribution, also, reflects the overall population distribution.

13. In the socio-economic field, child poverty estimates were made for 1990 (CASEN 1990), the first year of democratic Government. These estimates, based on the poverty-line principle, reveal that at the national level, 53.6 per cent of children less than 14 years of age (approximately 1,850,000) were below the poverty line, including 20.3 per cent (approximately 700,000) qualified as indigent. An analysis based on quintiles of per capita household income revealed that 60 per cent of children under 14 years of age belonged to the two lowest quintiles (CASEN 1990). Chile has nevertheless attained highly satisfactory social development levels in respect of children, particularly in comparison to other similar countries. This is partly due to the application of long-standing policies and programmes in the fields of health, mother and child nutrition, education and basic sanitation, etc., combined with an increasing effort within the framework of those policies and programmes to direct resources on a risk basis to the most vulnerable groups from the socio-economic and medical points of view, among which children are prominent.

14. The efforts carried out by the current Government during its first three years in power also represent an important step forward in the social field, a step which has benefited children as well. The Government of President Aylwin based its development strategy on economic growth with equity and social justice, directing considerable efforts towards economic and social development. These efforts have resulted in substantial increases in employment and real wages, stabilization and reduction of inflation, an increase in investment and economic growth combined with a substantial increase in social expenditure (21 per cent real growth between 1990 and 1992), specially directed towards health, education and housing. In 1993, social expenditure reached 6 billion US dollars, or more than 60 per cent of total public expenditure. This commitment to equity without neglecting economic growth, which has made it possible to resume a leading role in fostering social policies through improved coverage and enhanced quality of the main social programmes for children (food, health, education, sports and

recreational activities, etc.) and other vulnerable groups, constitutes the most important and sustained effort in the social field over the past few decades. Thanks to this effort it is hoped that by the end of the current Government's term, poverty will have diminished significantly and the standard of living of the poorest children and their families improved.

15. However, much remains to be done. To begin with, there remain important geographical disparities at the regional and municipal levels in the figures for infant mortality and nutrition, school performance, etc., obscured by positive average figures at the national level. This tendency calls for the strengthening of social programmes tending towards greater equality of opportunity through positive discrimination towards the less privileged groups. Secondly, the problems relating to the situation of children are no longer due so much to the coverage of the main social services, except in the case of preschool education, but rather to the quality of the services. Added to this fact is the urgency of problems which until now had remained relatively hidden or had been dealt with individually, such as ill-treatment, abandonment and child abuse, adolescent pregnancy, drug addiction and alcoholism, disabled children, and the environment. These social problems are also acquiring a certain relevance, especially when viewed in the context of efforts focused on improving the living standards of children and young persons, for whom there is increasing concern on the part of the State and of civil society.

16. The State and Government are experiencing difficulty in acting directly to tackle these emerging problems, while civil society, through the non-governmental organizations (NGOs), community organizations, churches, universities, etc. has a wealth of experience and skill which should be drawn upon. What is needed are well-focused actions, often entailing close involvement with the intimate lives of families. The challenge consists in adapting the work of the State with a view to complementing and supporting the efforts of civil society and, in particular, of the families involved. Concern for the family and its relationship with the child is essential to any progress towards finding a solution to these problems, a solution which will require a considerable reinforcement of the harmony and development potential of the family environment surrounding the child.

17. The care, protection and promotion of children and of the child as a subject of law is the duty of any democratic society: from the outset of their lives, children are more vulnerable than anyone else to the spread of poverty, and at the same time they represent the real possibility of a better future both from the social and the economic points of view.

18. For this Government, for the GAN and for civil society, childhood represents the present as well as the genuine hope of support for a more just, integrated and modern society which will enter the next millennium displaying the full potential of its children and youth.

19. Since the advent of the democratic Government, minors have been defined as a priority group for social and economic policy. The immediate ratification of the Convention on the Rights of the Child together with the elaboration and implementation of the PNI reflect this priority and are symbolic of a new agreement between the Government and civil society in

respect of the objectives defined, both from the social standpoint, since it is a project involving society as whole, and from the individual standpoint, since it is a commitment to the individual children surrounding us in our daily lives, children with family names and first names, belonging to different social strata.

I. GENERAL MEASURES OF IMPLEMENTATION

A. Measures taken to harmonize national law and policy with the provisions of the Convention

20. The period from 1990 to 1992 saw the promulgation of laws and decrees which contributed towards the harmonization of the country's domestic legislation with the provisions of the Convention.

21. The following Acts were promulgated between 1990 and 1992:

(a) Act No. 19,089 of 1991, which amends the Civil Code with respect to the recognition of natural children; to the legitimation of children through subsequent marriage of the parents, simplifying the required formalities; and to other matters related to the improvement of the legal situation of children;

(b) Act No. 19,043 of 1991, which introduces amendments to the Act on the Abuse of Publicity, protecting children under 18 years of age charged with or victims of an offence from revelation of their identity or from any other action leading to that result;

(c) Acts No. 19,038 and No. 19,100, to assist the State in its actions through the SENAME, a public service under the Ministry of Justice charged with assisting and protecting children and young people in particularly difficult circumstances by hiring staff to administrate establishments for children;

(d) Act No. 19,023 of 1991 creating the National Service for Women, a public service for the elaboration, planning and coordination of policies in favour of women and the family;

(e) Act No. 19,042 of 1991 creating the National Youth Institute, a public service for the elaboration, planning and coordination of State policies in favour of young people;

(f) Act No. 18,984 of 1990 creating the National Office for Returnees under the Ministry of Justice to find solutions to the problems of exiled persons returning to Chile and their families;

(g) Act No. 19,123 of 1992 creating the National Association for Compensation and Reconciliation to provide assistance and compensation to victims of human rights violations and their families. This Association provides assistance in the field of health and educational grants for the children of victims. At the same time it organizes activities for the promotion of a culture respectful of human rights, especially intended for Chilean children.

22. The following decrees were promulgated between 1990 and 1992:

(a) Decree No. 321 of 1990 issued by the Ministry of Justice creating the Intersectorial Advisory Commission to assess the situation of children living in irregular situations, to propose measures to improve child care with a view to achieving their social integration, and to draw up draft legislation aimed at giving effect to the Convention on the Rights of the Child;

(b) Supreme Decree No. 1,373 of 1990 issued by the Ministry of Justice creating new systems for child care in the field of justice, favouring open systems: placement in families on a daily basis, family-style homes, minors' hostels, emergency family care, family rehabilitation, protected liberty and temporary homes;

(c) Decrees No. 32 of 1991 and No. 1,646 of 1992 issued by the Ministry of Justice governing the procedure for the allocation of resources by the National Service for Children and the private institutions submitting child-care projects in accordance with the modalities set forth in Supreme Decree No. 1,373 of 1990;

(d) Supreme Decree No. 355 of 1990 issued by the Ministry of the Interior creating the Truth and Reconciliation Commission to investigate human rights violations and propose ways of compensating victims and their families;

(e) Justice Decree No. 663 of May 1992 to assist children who have been condemned for offences through the elimination of entries in their judicial records in order to facilitate their social rehabilitation;

(f) Decree No. 683 issued by the Ministry of the Interior in 1990 creating the Council for the Control of Narcotic Drugs.

23. The following measures also contribute to the protection of the rights of children:

(a) The Agreement concluded between the National Office of Returnees and the Foundation for the Protection of Children having Suffered as a Result of a State of Emergency, which has attended to 467 children of returnees, particularly in the area of social psychology. It has been in force since 1991;

(b) The programme created by the Ministry of Justice to ensure the rehabilitation and reintegration into the labour market of persons imprisoned for political offences, elaborated between April 1991 and January 1992. This programme, financed by contributions from the Governments of the Netherlands and Chile, was of direct assistance to 228 children of the beneficiaries;

(c) Order issued by the Court of Appeals of Santiago governing international adoption, establishing a procedure facilitating adoption by Chileans and minimizing the possibilities for traffic in children.

24. The following bills are currently under consideration by the legislature:

(a) Draft amendment of the Act on Adoption bringing it into line with the criteria established by article 21 of the Convention on the Rights of the Child;

(b) Bill on the ill-treatment of children, punishing persons guilty of ill-treating persons under 18 years of age and setting forth measures for the rehabilitation and protection of the victims;

(c) Draft amendment of the regulations governing criminal responsibility of minors and establishing the age limit for full imputability at 18 years in conformity with the Convention. This draft amendment gives the juvenile courts exclusive competence for trying such cases, passing judgement on the offenders and applying the appropriate protection measures, and lays down the procedures to be followed in doing so. It also abolishes the discernment test currently in force in Chile;

(d) Bill on violence within the family;

(e) Draft law on the amendment of various legal regulations with a view to establishing the age of full civil capacity at 18 years;

(f) Bill increasing the penalty applicable to adults who use children in committing offences;

(g) Bill creating local courts, facilitating access to justice for all;

(h) Bill on community organizations permitting the formal association of young persons from the age of 15 years;

(i) Bill on the amendment of regulations for recruitment, creating a civil service open to young persons of both sexes as an alternative to compulsory military service;

(j) Bill governing the distribution and marketing of liquid and solid solvents to prevent their use as drugs.

25. The following bills are currently being studied or drawn up:

(a) Draft organic law on the national service for minors, providing the service with a new structural and functional organization. This bill provides the service with greater operational authority and power to manage its resources. It also establishes a new national and regional scheme for personnel;

(b) Draft amendment of the system of State subsidies for child and youth programmes (contained in DFL No. 1,385 of 1980) which provides for: (i) an increase in the amount of subsidies for institutions cooperating with the SENAME; (ii) the establishment of new modalities for the allocation of resources; (iii) the incorporation of regulations contributing to the improvement of the situation of personnel in establishments cooperating with the SENAME; and (iv) new child-care structures favouring open systems;

(c) Bill creating a Procurator's Office for Minors with a view to providing judicial assistance to minors who are victims of offences, placed in institutions, have been abandoned or have infringed the law;

(d) Bill eliminating inequalities among children on grounds of filiation. Chile still maintains regulations reflecting the concept of discrimination according to filiation which affect the child from the moment of its birth. Even such concepts as legitimate, natural and illegitimate children still remain. Legitimate children are those born of parents married to each other or legitimized by subsequent marriage. Natural children are those who are voluntarily recognized by their parents but born out of wedlock. Illegitimate children are those who are born out of wedlock and are not recognized by their father;

(e) Bill establishing the recognition of forced paternity through a medical DNA test for fathers who refuse to recognize their children.

B. Existing or planned mechanisms at national or local level for coordinating policies relating to children and for monitoring the implementation of the Convention

26. No specific institution has been put into operation in this regard to coordinate overall policy in respect of children and youth. However, the role played by the MIDEPLAN as the body responsible, at the national and regional levels, for the management of the PNI and for the preparation of this report, in cooperation with the GAN, has led to better coordination of social policies in favour of children. Also worth mentioning in this respect is the contribution made possible by the creation and reinforcement of the National Youth Institute, a public service provided by the MIDEPLAN.

27. Nevertheless, the achievement of any significant progress in the institutional coordination and development of State policies in this field and the coordination of those policies with the numerous initiatives on the part of civil society represent a great challenge for this country. Various alternatives are currently under consideration to ensure the creation of an adequate mixed institutional framework (State and private) capable of monitoring the application of the fundamental rights of the child enshrined in the Convention and the achievement of the goals set forth in the PNI. This institutional framework should be created with an eye to the decentralization of the State, and as an integral part of the State's future institutional network in the social policy field as a whole.

28. It should be noted that certain areas, principally urban areas, have seen the emergence, at the initiative of the NGOs and the local communities and authorities, of bodies responsible for supervising the application of the rights of children in their entirety.

29. Through GAN, Chile is also part of the Latin American coordinating body (Coordinador Latinoamericano) for the application of the Convention, based in Lima and comprising 18 countries.

30. The year 1992 saw the elaboration of the PNI, a commitment entered into by the President of the Republic in the framework of the Plan of Action for

Implementing the World Declaration on the Survival, Protection and Development of Children, adopted by the World Summit for Children in New York in September 1990. The PNI was drawn up by the Government of Chile with the participation of numerous NGOs and in cooperation with UNICEF. It establishes objectives and guidelines for the decade which will make it possible to improve considerably the living standards and conditions of children and young people in Chile, especially the poorest among them. This important instrument for social planning and management has three main objectives: (a) to achieve the objectives in respect of children which have been set for the decade in the various spheres of activity; (b) to make progress in providing State social programmes covering the population up to 18 years of age with greater coherence, consistency and comprehensiveness by seeking to coordinate the various functions and activities and to ensure their complementarity, making it possible to attain national and regional objectives for the improvement of the living standards of children and young people; and (c) to make headway in seeking joint, concerted action by the public and private sectors and the local communities as the strategy and ultimate aim of a social policy designed to promote the responsibility and capacity for society itself to achieve the standard of living to which it aspires.

31. The PNI constitutes a landmark in our country. For the first time, a set of targets has been drawn up at the State level with respect to the standard of living of children and youth, targets which it is possible to attain by the end of the twentieth century. Thus, the PNI bolsters the extensive social work of the current Government as well as the persistent and sometimes anonymous efforts of civil society (NGOs, private enterprise, community organizations, churches, etc.) on behalf of the children and youth of Chile.

32. In its capacity as coordinator of social policy and in order to provide impetus to the new orientation of social expenditure and investment towards the most vulnerable population groups, MIDEPLAN has assumed the role of principal government agent for the coordination of the PNI at the national and regional levels. This role entails four complementary areas of work: decentralization, follow-up, monitoring and dissemination. To this end, a series of actions was launched, beginning in 1992, to make the targets and guidelines of the PNI a priority task for the Government and for society as a whole, thereby ensuring their realization by the end of the current decade.

33. The principal task for 1993 will be the decentralization of the PNI through the elaboration and application of regional plans to accompany the national targets and guidelines and to adapt them to the particular situation in each region. The introduction of regional governments as from 1993 provides an opportunity for the PNI to develop efficiently in all regions of the country. To this end, efforts will be made to encourage the decentralization of the PNI and to ensure that this important instrument for the planning and implementation of activities in favour of the children and youth of our country is followed up, monitored and disseminated on as decentralized a basis as possible. Through instruments created by the Regional Government and Administration Act, the regional governments will be provided with increasing resources to be incorporated into their regional strategies and budgets. In this connection it is hoped that the regional governments will emulate the Government's efforts at the national level with

respect to the PNI by giving priority in their strategies and budgets to investment in favour of children and young people in their region as an efficient means to promote regional development.

34. It is hoped that the regional governments will commit themselves to this initiative by investing in it the resources and powers granted to them under the Regional Government and Administration Act. On the one hand, this requires the elaboration of plans in each one of the regions of the country, with corresponding objectives expressed as quantifiable targets and given temporary priority; and on the other hand, it requires increasing day-to-day management by the regional governments and public services of the instruments of social policy through which these targets can be attained.

35. The strategy for the dissemination of the PNI will also largely be oriented towards the regional communities in order to encourage public and private entities in the region to take part in the elaboration and implementation of the regional plans.

36. Various institutions and government and non-government bodies have been brought together under the coordination of MIDEPLAN with a view to ensuring the follow-up, monitoring and dissemination of the PNI. This should make it possible to face the challenges of the future jointly, extending the radius of action and ensuring the best possible utilization of available resources.

37. As regards monitoring of the PNI, a system is being developed which should make it possible to evaluate, at the local and regional levels, activities aimed at implementing the targets which have been set. At the same time, these targets will be reviewed on a yearly basis in order to assess progress which has been made towards attaining them and to adapt the activities accordingly. These monitoring and follow-up activities will ensure that the necessary means are provided, together with concrete, timely and important information, to make the PNI a flexible, efficient and effective planning instrument in favour of children and young people.

C. Measures to publicize the Convention

38. Alongside the distribution of the PNI and the implementation of the various regional plans, a strategy will be developed for the publication and dissemination of national and regional plans in favour of children through the mass media, public relations and the creation of PNI support groups. It should be noted that this strategy will be carried out jointly by the Government, the GAN and other civil society groupings.

39. The following activities will be carried out this year:

(a) Creation of a corporate image which clearly identifies the PNI and its activities through a logo, a slogan, posters and whatever else is needed for that purpose;

(b) Dissemination through the mass media, with special emphasis on local and regional radio. Each region will elaborate a media plan favouring the use of local resources;

(c) Elaboration of a document explaining the PNI to be sent to the media throughout the country and to journalists responsible for the social sector in the press and on television;

(d) Periodic meetings with the press both in Santiago and in the various regions to provide information on the activities of the PNI and the progress made in implementing the regional plans;

(e) Publication on a periodic basis of a national and regional bulletin providing information on the progress achieved in each region;

(f) Periodic seminars for the dissemination of information and the analysis of the situation and prospects of children, with special emphasis on regional events, bringing together the principal persons and entities concerned at the regional community level;

(g) Working meetings with parliamentary groups on the situation of children and the progress of the PNI and the regional plans.

40. Moreover, September 1991 saw the organization in Santiago of the Latin American Seminar on the Rights of the Child, which brought together government and non-government representatives from the region. This Seminar, which was organized by the SENAME, UNICEF, the United Nations Interregional Crime and Justice Research Institute (UNICRI), the Latin American Institute for the Prevention of Crime and the Treatment of Offenders and the National Directorate for Children (DNI), made it possible to determine and disseminate the main elements of progress in implementing the Convention in the different participating countries.

41. In the course of 1992, the Fund for Solidarity and Social Investment (FOSIS), supported by UNICEF, organized 65 regional seminars for the dissemination of the PNI and of existing policies and programmes in favour of children, in which various municipal institutions and leaders took part.

42. As regards non-governmental efforts, several NGOs, at the request of the GAN, carried out various activities aimed at promoting and disseminating the Convention with the assistance of the community including, in particular, a seminar held this year to which all of the councillors elected during the last municipal elections were invited. Participants were familiarized with the Convention and with the possibilities of implementing a policy in favour of children in accordance with its principles and provisions. In addition, the GAN organized 6 seminars for the dissemination of the PNI which were attended by 280 institutions from different regions of the country.

43. During 1991 the Government of Chile, together with UNICEF and various NGOs, also organized a regional campaign in the 13 regions of the country under the slogan "Let our children live" with a view to attracting attention to the situation of children and to their rights resulting from the adoption of the Convention.

44. In May 1991, in this same context, UNICEF issued a publication entitled "Situation Analysis: Children in Particularly Difficult Circumstances", on the general situation of children in Chile, with specific reference to

children in survival strategies, children who are victims of ill-treatment or who have been abandoned, street children and children placed in institutions. Finally, in January 1993 MIDEPLAN and UNICEF published jointly a book entitled The Impression of Figures, which contains an extensive analysis of the situation of children in Chile carried out on the basis of the CASEN 1990.

II. DEFINITION OF THE CHILD

45. Chilean legislation provides no definition of the child. It does, however, clearly establish the age of majority, that is the full capacity to perform civil acts, at 21. In this connection it should be mentioned that a bill to lower the age of majority to 18 is being considered. Nevertheless, in accordance with the requirements of article 1 of the Convention on the Rights of the Child, in Chile, a child means every human being below the age of 18 years.

46. As a result, there is currently a contradiction between the provisions of the Convention and those of civil law, in particular the Civil Code, which stipulates in article 26 that "anyone who has not reached the age of seven shall be considered an infant or child; a male below the age of 14 and a female below the age of 12 shall be considered below the age of puberty; anyone over the age of puberty shall be considered an adult; a person who has reached the age of 21 shall be considered of age, or simply a major, and anyone who has not reached that age shall be considered below legal age, or simply a minor."

47. However, the law allows persons who are not of age to perform acts and enter into contracts before they reach age of majority, as specified below:

A. Minimum age for legal and medical counselling

48. In order to confer power of attorney in civil matters, full legal capacity is required. Such power cannot, therefore, be granted by minors. In other areas, particularly in criminal and juvenile cases, it is the practice of the courts to allow juveniles, even below the age of 18, to confer power of attorney.

49. There is no specific regulation governing medical counselling in Chile. However, in practice, anyone may receive medical advice, without any compulsory requirement for his parents or legal representatives to give their consent.

B. Access to employment

50. As regards employment, the following regulations under the Labour Code can be cited:

(a) For the purposes of labour legislation, persons over the age of 18 shall be deemed to have reached the age of majority, and may freely contract out their services. However, juveniles under the age of 21 may not be employed in work underground without undergoing an aptitude test;

(b) Juveniles under the age of 18 and over the age of 15 may enter into a contract of employment with the express permission of their father or mother, or failing this, of their ascendants or guardians. However, they may not perform work underground, tasks that require excessive physical effort, or any activities that may jeopardize their health, safety or morals. In addition, juveniles under the age of 18 may under no circumstances work more than 8 hours a day, and are therefore prohibited from working overtime;

(c) Juveniles between the ages of 14 and 15 (i.e. who have reached the age of 14) may contract out their services, provided they have obtained the permission referred to in the previous paragraph and completed their compulsory education, and provided they perform only light work that does not jeopardize their health and development or prevent them from attending school and taking part in educational or training programmes. As in the case of children between the ages of 15 and 18, they may under no circumstances work more than 8 hours a day (Labour Code, arts. 13 and 14). However, in practice, a large number of children work in the informal sector as street traders, collectors of waste cardboard and paper, and in other activities, without any form of legal protection.

C. Minimum marriageable age

51. Persons who have reached majority may marry without obtaining consent. Juveniles aged between 21 and 12 (in the case of women) or 14 (in the case of men) require the express consent of their father, or failing this, of their mother, or closest legitimate ascendants; failing which they require the consent of a tutor or of the Registrar (Civil Code, arts. 106 and 107).

D. Giving testimony in court

52. Persons over the age of 14 may testify in court; persons under the age of 15 testify without taking the oath.

E. Criminal liability

53. Juveniles below the age of 16 and adults between the ages of 16 or 18 are not criminally liable, unless it is established that they have acted with discretion. In this case, a ruling by the Juvenile Magistrate, in accordance with the procedure laid down by the law, is required to determine whether or not a minor has acted with discretion. The ruling requires a specialized legal assessment to be carried out in order to assess the juvenile's capacity to grasp the criminal nature of his conduct. Minors aged between 16 and 18 who are found to have acted with discretion are tried by ordinary criminal courts. If they are found guilty, they are given the minimum penalty laid down for the offence in question, reduced by one degree.

F. Deprivation of liberty

54. There are several circumstances in which a child may be deprived of his liberty.

(a) All juveniles under the age of 18 who have been abandoned, ill-treated and/or present behavioral problems, may be deprived of their liberty or have their liberty restricted under the following circumstances:

(i) Initially, while the best means of caring for them in the future is being decided, they are usually interned in a centre for observation and diagnosis, where they are deprived of their liberty;

(ii) Subsequently, when the juvenile magistrate decides to apply a protective measure, the measure may involve deprivation of liberty (internment in specialized educational establishments determined by law) or restriction of liberty (probation). The protective measures referred to above are defined by the Juvenile Act, No. 16,618.

(b) Juveniles between the ages of 16 and 18 guilty of acts of a criminal nature may be deprived of their liberty under the following circumstances:

(i) Until it is determined whether they have acted with discretion;

(ii) If it is determined that they have acted without discretion, they may be subject to a protective measure under the terms set forth in paragraph 53 above;

(iii) If it is determined that they have acted with discretion, they are subject to the general rules of criminal procedure, and may thus be deprived of liberty, either as persons under arrest or awaiting trial, or as convicted prisoners.

G. Imprisonment

55. Under Chilean legislation, minors are entitled to a range of guarantees if they are deprived of their liberty. The guarantees are the following:

(a) There is a special police force responsible for carrying out judicial orders applying to juveniles aged under 18;

(b) Children may only be detained in special establishments under the responsibility of the Juvenile Police;

(c) It is prohibited to detain juveniles aged under 18 in establishments other than those referred to above; anyone who does so is liable to a penalty;

(d) Juveniles aged under 18 deprived of their liberty, either under a protective measure while it is determined whether or not they acted with discretion, or as prisoners awaiting trial or who have been convicted, must be held in special establishments, completely apart from adult prisoners.

56. Minors subject to a protective measure or undergoing rehabilitation should not be imprisoned. However, owing to the present lack of premises for minors, some 700 of them are imprisoned in adult penitentiary establishments, in special sections where they are kept apart and where rehabilitation programmes are provided (report by the Gendarmería de Chile (prison warders), last quarter).

57. It should be mentioned that the number of minors held in prisons for adults has declined by 20 per cent in recent years as a result of the policies introduced by the Government of Chile, through the appropriate bodies.

H. Consumption of alcohol or drugs

58. It is prohibited to sell alcoholic beverages to minors aged under 21. The consumption of alcohol is also prohibited, for everyone, on the public thoroughfare. Juveniles found doing so are liable to protective measures.

59. Current legislation punishes the trafficking and supply of narcotic substances, although it does not punish their consumption. However, in practice, the juvenile magistrate may order protective measures for minors found consuming drugs.

I. Civil and civic rights

60. In accordance with the Constitution, persons aged over 18 are entitled to vote. They may also be elected to the office of councillor or mayor of a municipality. The minimum age for election to parliamentary office by popular suffrage is 21 in the case of deputies, and 40 in the case of senators.

J. Compulsory education

61. Since the adoption of the Basic Education Act in 1928, basic education has been both compulsory and free in Chile. Compulsory education lasts eight years.

K. Sexual consent

62. Without prejudice to the provisions already referred to in respect of the marriage of minors, Chilean legislation contains no specific norms in this regard. However, sexual intercourse with a woman of less than 12 years of age is punished as rape under article 361 of the Criminal Code, from which it may be deduced that this is the minimum legal age for a woman to consent to sexual relations. There is no comparable provision applicable to men.

III. GENERAL PRINCIPLES

63. In this area, it should be mentioned that the Constitution is the principal source of these general principles, as it contains the individual guarantees with which individual rights are inseparably linked. Moreover, it should be reiterated that as indicated at the beginning of this report, the Convention has constitutional status under article 5 of the Constitution; accordingly its provisions are incorporated into the guarantees mentioned

above, and specific guarantees are laid down for boys and girls. Nevertheless, we considered it appropriate to include a description of the main constitutional provisions in this respect.

A. Non-discrimination

64. Article 1 of the Constitution enshrines the general principle that "men are born free and equal in dignity and rights". This principle is detailed in article 19, paragraph 2, which states that in Chile there are no privileged individuals or groups. Neither the law, nor the authorities may establish arbitrary differences. Moreover, article 19, paragraph 3, establishes equal protection under the law in the exercise of individual rights, and lays down a range of guarantees pertaining to the exercise of these rights before the courts, inter alia, the guarantee of fair and due process.

B. Best interests of the child

65. Although prior to the Convention Chilean law did not expressly include this principle, it has been incorporated into Chilean legislation as a result of the Convention. It should be pointed out that the drafting, proposal and implementation of public policy in favour of children illustrates the importance which Chile attaches to their interests. This is also apparent in the legislative initiatives already mentioned, whose purpose is to improve the legal situation of children by adapting Chilean domestic law to the Convention.

66. However, this effort on the part of the Government, in particular through bills intended to remove children from the penal environment, has been interpreted by some sectors of society as counter to society's interest in maintaining public order and safety, a factor which to a certain extent hampers the adoption of the legal amendments in question.

C. The right to life, survival and development

67. The Constitution guarantees the right of all persons to life and to physical and psychological integrity. The law protects the life of unborn children and prohibits abortion. The death penalty may not be applied to minors.

68. As regards the right to survival and development, Chile's social policy focuses on the integration into the development process of all vulnerable groups, including children. The bulk of social investment under the national budget is earmarked for overcoming poverty and ensuring better living conditions for the population by improving health care, housing, education, etc., thereby enhancing children's potential for survival and development, in particular those in especially difficult circumstances.

D. Respect for the views of the child

69. The Constitution guarantees the right of all persons, including children, freely to express their opinions without censorship.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality

70. The right to a name is governed by article 31 of the Civil Registry Act, article 28 of which lays down the obligation to register a person's birth within 60 days; article 33 stipulates that upon registration of a newborn child, the date of birth, the individual name, the family and the sex of the child must be provided.

71. Nationality is a right, established by article 10 of the Constitution, that applies to:

(a) Persons born in Chilean territory, with specific exceptions;

(b) Children of a Chilean father or mother who are born abroad, when either of the parents is in the service of the Chilean Republic;

(c) Children of a Chilean father or mother who are born abroad, provided that the children concerned have more than one year's residence in Chile;

(d) Aliens who acquire a naturalization certificate in conformity with the law, having expressly renounced their previous nationality; and

(e) Persons who obtain a special grant of naturalization by law.

B. Preservation of identity

72. The preservation of identity is protected by, inter alia, article 17 of the Civil Registry Act, which stipulates that entries may be neither altered nor amended except by virtue of an enforceable judgement of the court. The same Act also specifically identifies those persons who may apply for a new entry or for an amendment to an entry. Moreover, it should be mentioned that under Chilean legislation, the usurpation of another person's name is a punishable offence.

C. Freedom of expression

73. As indicated in connection with respect for the views of the child, article 19, paragraph 12 of the Constitution guarantees the right of all persons, including children, freely to express opinions, without censorship.

D. Freedom of thought, conscience and religion

74. Article 19, paragraph 6 of the Constitution guarantees the right of all persons to freedom of conscience, freedom to manifest all beliefs and freedom to practise all religions that are not contrary to morality, decency or public order.

E. Freedom of association and of peaceful assembly

75. Article 19, paragraph 13 establishes the right of peaceful assembly. As regards freedom of association, article 19, paragraph 15 of the Constitution guarantees the right to form associations without prior authorization. However, the right of children freely to form associations is restricted by the fact that Chilean law does not recognize their legal capacity to perform civil acts. As a result, they may only join a political party or a community youth organization from the age of 18 onwards.

76. In this connection it should be mentioned that a bill to allow people to join youth organizations from the age of 15 onwards is under consideration, to replace current legislation on community organizations. In any case, in 1990 the Ministry of Education introduced regulations to authorize secondary-school students freely to associate in student centres and other student organizations, with due recognition by the State.

F. Protection of privacy

77. Article 19, paragraph 5 of the Constitution establishes the inviolability of the home and all forms of private communication.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

78. Social policy aimed at the integration in the development process of all persons and, in particular, of vulnerable groups, including children, has focused on family support as a fundamental means of improving the quality of life of individuals. The introduction of new programmes, the extension of coverage and institutional reorganization focus mainly on the integration of the family group into social development projects. The main regulations applicable to family life are contained in the provisions set out below:

A. Parental responsibilities

79. Title IX of the Civil Code, which addresses "the mutual rights and obligations of parents and legitimate children" and Title XIII, on "the mutual rights and obligations of parents and natural children" define the norms governing the personal care of children, their upbringing and education, and the obligation to ensure them a start in life and a profession for the future. In the absence of parents, or if they are physically or morally incompetent, the court may "entrust the personal care of the child to other competent persons, with overriding preference for his legitimate ascendants.

80. These provisions are completed by those set out in Act No. 16,618, article 42 of which stipulates that mental disability, chronic alcoholism, neglect, encouraging vagrancy or begging, ill-treatment or any form of material or moral threat to minors are grounds for parental disqualification.

B. Separation of the parents

81. The legislation mentioned above also establishes the norms governing the situation of children if their parents separate, as a result of divorce, annulment of marriage or de facto separation. According to these norms, the

mother is responsible for the care of the children of whatever age, or if she is disqualified, the father. If both of them are disqualified, the norms referred to in the preceding paragraph shall apply.

82. The Civil Code and Act No. 16,618 contain provisions designed to favour the unity of the family in the case of conflict between parents. To this end, they determine the visiting rights of the father or mother who does not have custody of the child or children, in accordance with the ruling of the juvenile court which dealt with the question of their custody or guardianship.

83. The Act also establishes special norms which apply to the departure of persons aged under 21 from Chile which in the absence of the consent of both parents, is subject to a decision by the juvenile courts.

C. Recovery of maintenance for the child

84. As regards the recovery of maintenance, pursuant to the provisions of article 321 of the Civil Code, proper maintenance is due to legitimate descendants, natural children and to their legitimate descent. Illegitimate children that are not solemnly acknowledged are only entitled to the necessary maintenance (art. 280 et seq.). The exercise of this right is regulated by Act No. 14,908 on the abandonment of the family and payment of maintenance. The juvenile judge of the child's place of residence is competent to hear claims.

D. Children deprived of a family environment

85. SENAME is responsible for providing, either itself or through the associate institutes it subsidizes, a suitable family-type environment for children deprived of their family, through a welfare network including regular shelters, day-care centres, family-style homes, minors' hostels, emergency shelters, family placement and such other means as are described in Chapter VIII (Special Protection Measures).

E. Adoption

86. Adoption is regulated by Act No. 18,703 and may only be granted pursuant to a judicial decision issued by a juvenile court. Adoption is only possible in the case of children who have legally been declared abandoned.

The same legislation regulates the possibility of authorising the departure from Chile of minors for adoption abroad. The juvenile court is competent to grant such authorization after completion of a judicial procedure involving the SENAME, which advises as to the desirability of authorizing minors to leave Chile for adoption pursuant to the principles of the Convention and of current legislation. However, not all, or even most juvenile courts take this opinion into account.

87. The State, through SENAME, also provides the following services:

(a) Assistance and guidance for mothers or families who face difficulties in performing their role, in order to avert abandonment;

(b) Promotion of adoption in Chile by means of development programmes. These measures have made it possible gradually to increase adoptions by Chileans and to reduce the number of children leaving Chile for adoption abroad;

(c) Support for the courts to help them settle cases involving adoption or the granting of authorization for minors to leave Chile for adoption;

(d) Maintenance of a register of abandoned children and of Chilean and foreign families who wish to adopt children.

88. The statistics for adoption for the last two years are as follows:

Chilean:	1990	2,785
	1991	2,436
International:	1990	776
	1991	507

The decline in the number of international adoptions is attributable to the particular concern of the Government of Chile to avoid any traffic in children. In this respect, the Judiciary has taken considerable steps to prevent corruption among its officials involving the trade in children. These steps have consisted, on the one hand, in the investigation and punishment of the irregularities detected in a number of juvenile courts, and on the other hand, in the introduction of overall standards, through a ruling by the First Court of Appeal in Santiago, aimed at preventing the traffic in children. In addition, the Government has submitted to Congress a bill to regulate the adoption in Chile of a Chilean child by foreigners, which lays down penalties, including criminal sanctions, for anyone who trades in Chilean children for profit.

VI. BASIC HEALTH AND WELFARE

A. Bio-demographic background

1. Population

89. According to estimates based on the 1982 census projections, in 1990 the population of Chile stood at 13,173,347 inhabitants, of whom 4,033,297 (30.6 per cent) were under 15 years of age and 1,475,777 (11.2 per cent) under 5 years of age. The natural growth rate of the population was 1.5 per cent between 1976 and 1979 and rose to 1.7 per cent between 1988 and 1990. The number of women of childbearing age (15 to 44 years) was 3,190,960 (24.2 per cent), of whom 609,389 were young women between the ages of 15 and 19 (4.6 per cent of the total population).

90. The structure of the Chilean population has undergone changes, with an expansion in the intermediate portion of the pyramid representing the age group from 25 to 29 years. This change has reduced the proportion of persons under 15 years of age from more than 40 per cent in 1960 to 31 per cent in 1990.

91. Some 84.3 per cent of the population lives in urban communities with more than 5,000 inhabitants, 95.3 per cent of whom have access to a safe or treated drinking-water supply and an adequate sewerage disposal system. However, a large proportion of the waste water is not treated subsequently and is disposed of in rivers or at sea, thus creating an unresolved health problem.

92. The illiteracy rate in 1990 was 5.4 per cent. Some 83 per cent of mothers have four or more years of schooling. This level of education, regarded as fairly high, simplifies educational activities using documentary materials among the population in general and mothers in particular.

93. International migratory movements have not influenced the change in the population pyramid, since immigration and emigration have maintained a balance. Internally, however, there has been a flow of migration from rural to urban areas, especially during the last 30 years.

2. Fertility

94. In 1989 there were 303,798 births, which means a crude birth rate of 23.4 live births per thousand inhabitants. In 1990, 292,146 live births were registered. These figures have increased somewhat in recent years after remaining stable at around 22 per thousand. Deliveries by women under 20 years of age have increased proportionately, accounting for 13.9 per cent of the total deliveries recorded in 1989. The reproductive behaviour of women has varied, as is seen in a reduction in the fertility rate from an average of 4.9 children in 1965 to 2.5 in 1990. Young women are seen to be more fertile with 60 per cent of live births to women between 20 and 29 years of age. The changes in the birth rate and the size of the family are closely related to the improved instruction of mothers.

95. The decline in the birth rate over the last 25 years is due mainly to the instruction in responsible parenthood received by part of the population and the access to family planning services that have been part of the Ministry of Health's perinatal maternal health programme since 1967. The proportion of women of childbearing age regularly using contraceptives who were screened by the health services was 17 per cent in 1988; however this figure is estimated at 56 per cent if one includes users who did not avail themselves of those checks and those who obtained contraceptives from other sources.

96. It is estimated that the population of Chile will be 15,272,000 in the year 2000 and the crude birth rates will decline to approximately 20 per thousand inhabitants in that year. It is also estimated that the balance between the urban and rural population will be maintained. This ratio should be achieved through the recently revised family planning policy, which will enhance the population's access to the services and through a population policy aimed at halting the internal migration to medium-sized towns.

3. Maternal mortality

97. There have been significant changes in maternal mortality in the last 30 years. Rates of 30 per 10,000 live births in 1960, which in absolute terms meant 938 deaths, have declined considerably. The lowest figure was that for 1984 with 3.5 per 10,000 live births, subsequently stabilizing at

4.1 in 1990. In 1989, 125 maternal deaths occurred in absolute figures. At the same time, the structure of maternal mortality has changed. While abortion continues to be the primary specific cause of maternal death, it has declined significantly from 39 per 100,000 live births in 1977 to 9.4 in 1990.

98. Nevertheless, the decline in the number of deaths as a result of an abortion can be attributed to a combination of an actual decline in the number of abortions occurring in the population due to recourse to family planning services, which has reduced the number of unwanted pregnancies, as well as to a decrease in fatal abortions within the health system as a result of a policy conducive to the early and better treatment of complications. It should be borne in mind that abortion is forbidden by law in Chile; consequently the abortions that take place are illicit or are dissimulated as some other ailment, a situation which does not always allow the appropriate action to be taken.

99. The decline in maternal mortality due to other causes is the result of an extension in professional care during delivery from 67 per cent in 1960 to 98.8 per cent in 1989 and the prenatal follow-up carried out by the Ministry of Health's perinatal maternal health programme. The high rate of professional care during delivery has made it possible to develop a second source of information for the analysis of maternal deaths. In addition to the information provided by death certificates, since 1984 a register of deaths has been maintained which is studied by the Ministry of Health and enables the sub-register originating in the Registrar's Office to be corrected.

100. The second cause of maternal mortality is that of deaths due to pregnancy-related hypertension syndromes and toxaemia which have resisted the measures taken to control them. Infections and puerperal sepsis mainly associated with complications due to the premature rupture of the membranes and hospital-related infections associated with surgical treatment are other significant causes of death.

4. Child mortality

101. Child mortality is one of the most significant variables of the population's state of health. In Chile, it has been in steady decline in recent decades. In 1950, 136 per thousand children died before their first birthday, in 1970 the rate declined to 79 per thousand live births and in 1990 to 17 per thousand. The phenomenon has many causes. It is related, on one hand, to the activities conducted by the health sector and, on the other hand, to the demographic changes and the influence of the other social and economic sectors.

102. A study of the main problems of child health shows a notable variation in the epidemiological profile over the last 20 years, with perinatal complaints acquiring special importance and congenital anomalies and accidents appearing as emergent problems. Acute respiratory infections continue to be important in child morbidity and mortality statistics, and they are closely linked with the levels of atmospheric pollution.

103. Neonatal mortality accounts for 50 per cent of total infant deaths. The three primary specific causes of death among newborn children are extreme

prematurity, hyalin membrane and perinatal infections, associated with newly born children of a low birth weight. Belated child mortality has shown a more pronounced tendency to decline than neonatal child mortality. The current rate comprises, however, a high proportion of preventable causes such as, for instance, acute respiratory infections and accidents. The mortality rate for children between one and four years of age declined by 44 per cent over the past decade. In 1989, there were 991 deaths in this age group with a rate of 0.85 per thousand children from one to four years of age. Accidents are the main cause of death for this group.

104. Chronic diseases of the child have emerged as important problems in this decade. It seems imperative to develop, in the years ahead, wholesome lifestyles from infancy and childhood onwards which make for healthy adults and the subsequent well-being of the entire family.

5. Child undernutrition

105. Undernutrition among children in the population screened by the national health system declined from 15.5 per cent (SEMPE) in 1975 to 8.8 per cent (SEMPE) in 1982 when it remained stable until 1989. It declined once again to 6.9 per cent (SEMPE) in 1991, when the greater proportion of children were mildly malnourished. With regard to age, among the screened population infants from 0 to five months old show less tendency towards low weight and the group from 12 to 23 months shows greater tendency towards low weight. The percentage of children of low birth weight has tended to stabilize at an estimated 5.8 per cent for the first quarter of 1992. There is a general average of maternal undernutrition of 25.4 per cent among the population screened by the health services with a marked variation among the regions and communities.

B. Strategies for the control of maternal and child morbidity and mortality

106. The Chilean health system is a mixed system in which the public sector is responsible for the greater part of preventive measures, environmental measures and the medical care of approximately 80 per cent of the total population of the country. In 1978, the national health service was decentralized into 27 autonomous services which are under the technical auspices of the Ministry of Health and are responsible for providing health care to the population.

The activities of the national health services system are divided into four main areas:

(a) The child and adolescent programme from birth to the age of 15;

(b) The perinatal maternal programme which is concerned with mothers and the reproductive process;

(c) The adult and old age programme covering persons over 15 years of age; and

(d) The dental programme.

In order to carry out these programmes, the system has 121 hospitals of various sizes, 115 specialized surgeries attached to major centres, 209 urban general clinics, 124 rural general clinics and 1,020 rural medical posts and stations.

107. A special feature of the Chilean health system is its emphasis on preventive health activities which have historically focused on maternal and child programmes. The role of nurses and midwives is fundamental in carrying out these activities. For instance, prenatal screening, postnatal screening of the newly born child, responsible parenthood activities, testing for uterine cervical cancer and the supplementary feeding programme are closely coordinated. This organization is instrumental in enabling the public to apply for measures under the programme and consequently to ensure that the programme has the desired impact. Some 15 years ago the concept of concentrating resources on risk factors in maternal and child programmes was introduced; this has led to the smooth development of health care strategies and a more efficient use of resources.

108. During the 1980s, the public health sector was affected by an important cutback in expenditures and investments. For this reason problems of various kinds built up and threatened the downward trend observed in the indicators. This cutback had a more acute impact on the third level of health care, adversely affecting the quality of professional maternal and child care, especially in the large urban areas.

109. Family planning activities were integrated into the perinatal maternal health programme in 1967 with a view to combating the complications caused by induced abortions. They are conducted mainly by midwives and approximately 40 per cent of the available resources under the programme for primary health care are used for this activity. The method preferred by the population is the intra-uterine device (IUD) employed by 80 per cent of surveyed users. The system monitors family planning activities for 16 per cent of women of child-bearing age although it is estimated that some 57 per cent of the women in this group who are not followed up by the health system use some method.

110. In order to increase professional care coverage in connection with childbirth in rural areas, homes for expectant mothers which admit women before their delivery and after they are discharged from hospital following the birth have been operating with good results for more than 10 years. Similarly, in order to provide specialized and comprehensive care to adolescent expectant mothers, a number of pilot projects have been started such as those run by the José Joaquín Aguirre Hospital and a programme organized by the national health service initiated in 1991, whose network of 15 specialized clinics dealt with 4,000 cases.

111. In 1990, with the change in the general health policy and the change of Government, the perinatal maternal health programme was updated and made public. The current programme focuses on preventive measures and on strengthening activities in a number of difficult areas such as adolescent pregnancy and induced abortions. It also introduces qualitative changes such as humanizing obstretic care and involving the father in the process of pre-natal and post-natal care.

112. The child health programme gives priority to health promotion activities and emphasizes the monitoring of growth and biological, psychological and social development to improve the quality of life of children and their families. Consequently, the programme's basic strategies focus on:

(a) Fostering the actual involvement of the community in caring for its health, to which end maximum effort will be made to extend health services towards the community;

(b) Educating the family and civic organizations since, in the final analysis, they are the only institutions capable of satisfying the biological and psychosocial needs of children.

113. With regard to intrinsic activities of the health sector, a number of researchers indicate that over half the reduction in child deaths can be attributed to the extension and coverage of the health services. More than 99 per cent of Chilean children come into the world in hospital and receive professional care. This situation reduced mortality during the first 28 days to 8.5 per thousand live births in 1990. The coverage achieved by the extended immunization programme also has a bearing on the decline in morbidity and mortality rates caused by diseases that can be prevented by immunization such as measles, tussus convulsiva, tuberculosis, diphtheria, tetanus, poliomyelitis, the latter having been eradicated from the country.

114. In order to prevent and reduce nutrition gaps among children under six years of age, pregnant women and wet nurses, the National Supplementary Feeding Programme (PNAC) was created. The PNAC also helps to reduce child morbidity and mortality related to malnutrition, to encourage breast feeding and to carry out other health promotion and protection activities. Although the provision of foodstuffs is considered to be the programme's main activity, it is subject to the carrying out of health controls (check on growth, psychomotor stimulation, immunization, health education, etc.). This measure has made it possible to maintain the incentive of the maternal and child population to undergo health controls and to extend the PNAC's activities far beyond simply food support. The PNAC has two subprogrammes:

(a) A basic subprogramme which supplies food to any child or pregnant woman who undergoes the health checks instituted by the Ministry of Health;

(b) A subprogramme of aid which supplies a larger amount of food to those persons found, during the health screening, to be at risk of under-nutrition or under-nourishment.

115. With regard to breast feeding, the National Lactation Committee was set up in 1991 primarily to promote, protect and support breast feeding, in compliance with the principles proposed by UNICEF. This Committee is made up of scientific societies and civic associations, NGOs and representatives of the Ministry of Health and the National Consumers' Association.

116. The increase in the levels of sanitation (drinking water and sewerage) has been another important factor in the levels of health attained. Some 90 per cent of dwellings in urban areas have an indoor drinking-water supply; this has been fundamental in reducing the problem of diarrhoeal

illnesses. Despite the results achieved, a study of the national rates shows marked differences throughout the country, with a tendency for child mortality to be two or three times higher in communes with a low social and economic level than in those with a higher level.

C. Strategies to safeguard the mental health of infants and juveniles

117. In order to safeguard the mental health of the child, progress has been made in formulating a national mental programme health for infants and juveniles which includes promotion, encouragement, prevention and rehabilitation activities. The programme is the outcome of the work of two multiprofessional and multisectoral groups and has been submitted to the health authorities and disseminated among health services and other sectors that work with children. However, its implementation has been partial and limited to certain activities in the national health programmes. Its coverage is low and it has not received additional human resources. Neither has a training programme for the requisite professional staff been undertaken.

118. Recently, in each health service professionals were instructed to devote a certain amount of their time to developing local mental health programmes for infants and juveniles. Funding was also obtained for a number of partial pilot programmes (school mental health) and for preventive programmes (alcohol and drugs, family mental health community centres, psychosocial strengthening of primary health care, early stimulation, tests for phenylketonuria and congenital hypothyroidism in newly born children). It may be said that the major difficulties remain the lack of priority and the lack of specialized human resources.

119. The services that accommodate children suffering from chronic mental retardation or psychiatric pathology include:

(a) Health service facilities accommodating a minority of these children in which the living conditions, infrastructure, number and competence of the staff do not meet the minimum requirements. At the local level the development of programmes to correct this situation is a matter of concern and interest;

(b) Facilities assisted by SENAME which accommodate the greater proportion of children and have a higher level of infrastructure and resources; however, they have an even greater need of trained staff and professionals and are confronted with notable shortcomings in respect of health supervision. Consequently, the units have applied for technical and financial support from the State health services for cases with associated medical pathology.

120. In the event of hospitalization, when children are separated from their families, in most paediatric hospitals and in some general hospitals there are programmes of psychological assistance for those children. The purpose of these programmes is to reduce the dangers posed by hospitalization for the mental health of the child and includes an improved schedule for family visits. They do not have specifically assigned resources and operate thanks to the special motivation of a number of professionals and the cooperation of voluntary staff. Human resources and equipment are needed in order to carry

out these programmes and to extend them to all hospitals to which children are admitted. It would also be desirable to strengthen programmes that work with the family and which are virtually non-existent at the present time.

121. For ill-treated and abandoned children, there are only three health services in Santiago that offer comprehensive care programmes, including rehabilitation within the family as an alternative to institutionalization. This result has been achieved by the personal effort of a number of professionals who have succeeded in persuading the local authorities to make time available to them in the context of their normal tasks. Elsewhere, most cases go undetected and those who consult the services are treated exclusively for their physical injuries. In connection with the comprehensive prevention and care programme for abused children, initial training days were organized on the subject of violence within the family for professionals from the primary care psychosocial support units.

122. In addition to the information given above concerning mentally handicapped children, the Ministry of Health took part in drafting the Act on the integration of persons with disabilities, and carried out a study on the additional financial resources that would be required by the health sector to comply with all the obligations that appear in this law. In 1992, the National Rehabilitation Programme was redrafted and extended. It now has resources of its own.

123. With regard to disabled children, an agreement was recently signed between the Ministry of Health and the Society for Assistance to Crippled Children to provide care in that centre for children eligible under the national health service.

124. On the aspect of prevention, two programmes are being developed to which the sector has assigned priority and which are concerned with the quality of life of Chilean children:

(a) Programme for early stimulation and evaluation of psychomotor development: this programme is country-wide and aimed at developing primary prevention activities for cases of psychomotor development deficit in children under 6 years of age and secondary prevention for other types of biological retardation. To that end, all the nurses engaged in child health screening activities have received training and equipment for carrying out this assessment in all national health service facilities at the national level.

(b) Large-scale testing programme for phenylketonuria and congenital hypothyroidism in the national health services system maternity hospitals in the metropolitan region: this programme has been in operation since 1992 in the metropolitan region. Its purpose is to detect at an early stage the two complaints that cause irreversible damage to the central nervous system and subsequently lead to severe mental retardation unless detected and treated in time.

125. There are numerous initiatives to protect children from illicit drug use, such as the "I want a drug-free life" programme for the prevention of drug addiction in secondary education. It is hoped to be able to extend its

coverage and to assess its effectiveness in the months ahead since there are insufficient rehabilitation programmes for addicted children and adolescents.

126. The programme of compensation and comprehensive health care for victims of human rights violations, carried out in 11 health services, focuses on the family and includes mental health care.

127. Finally, the Convention on the Rights of the Child has been disseminated partially in health facilities in a number of workshops and seminars.

D. Goals for the year 2000

128. The main extract from a report on the goals for the year 2000 in respect of the basic health of the infant population appear below. 1/

1. Child mortality

Goal: to reduce child mortality by 25 per cent over the decade to a rate of 13 per thousand live births in the year 2000.

129. The main causes of death in this age group are: perinatal complaints, congenital anomalies, infections of the respiratory system, traumatism and poisoning which together account for some 85 per cent of total deaths.

(a) Perinatal infections

Goal: to reduce deaths due to perinatal problems by 30 per cent over the decade to a rate of 4.3 per thousand live births in the year 2000.

130. Perinatal problems are the primary cause of death among infants under one year old, with a rate of 6.2 per thousand live births; they account for one third of total deaths. In this group, the main specific causes of death, in order of magnitude, are extreme prematurity, hyaline membrane, infections and birth asphyxia which together account for 65 per cent of all deaths. The aforementioned specific causes are related to low or very low birth weight in a large proportion of cases.

131. In order to improve the quality of medical care in the perinatal period a neonatal equipment plan was put into effect in 1992, for the provision of equipment to all neonatology units in level 1 and 2 hospitals. Intensive care incubators, standard incubators, transport incubators, medical procedures cots, radiant heat cots and mechanical ventilators were distributed to those facilities, thereby meeting the basic needs for equipment in this area. An improvement in the situation of the human resources available for the care of pathological new born children has been a further concern. Accordingly, in 1992, medical facilities were set up in six hospitals. The activities undertaken were supplemented by a national training plan. In the initial stage (1992), eight workshops were held throughout the country with the primary objective of improving the administrative technical management of neonatal care.

1/ The complete text of this report, in the original Spanish version, may be consulted in the Centre for Human Rights.

(b) Congenital anomalies

Goal: to reduce deaths due to congenital anomalies by 5 per cent over the decade to a rate of 3.5 per thousand live births in the year 2000.

132. Congenital anomalies are responsible for 20 per cent of deaths among infants under one year old, constituting the second cause of child mortality with a rate of 3.7 per thousand live births; this rate has remained stable during the last 10 years. Some 70 per cent of these deaths are caused by cases of congenital cardiopathy, anomalies of the nervous system and malformations of the digestive system.

133. Cases of cardiopathy are the easiest to correct with the expertise and technology currently available. They account for slightly more than one third of all congenital anomalies and, if left untreated, result in death for over 60 per cent of cases in the first year of life, especially the first three months. Consequently, diagnosis must be early and transfer to a specialized centre must take place promptly and in suitable conditions. Child mortality due to cardiopathy is 1.2 per thousand live births; only 10 per cent of these children undergo surgery. The objective in cases of congenital cardiopathy is to optimize and rationalize the use of existing resources for their treatment. In 1992 the cardiovascular service of the Luis Calvo MacKenna Hospital was upgraded through the restructuring, extension and equipping of the intensive care unit, making it possible to double the number of surgical operations in this centre.

(c) Infections of the respiratory system

Goal: to reduce deaths due to infections of the respiratory system by 50 per cent to a rate of 1.7 per thousand live births in the year 2000.

134. Infections of the respiratory system are the third cause of death among infants under one year old, with a rate of 3.4 per thousand live births; they account for 18 per cent of all deaths in this age group. The most important specific cause is bronchopneumonia, which is responsible for 82 per cent of all the deaths due to infections of the respiratory system. Although the rate of child mortality due to bronchopneumonia declined by 42 per cent in the course of the previous decade, this result has not been sufficient and a considerable number of deaths which could be avoided continue to occur. Acute respiratory infections are the main cause of consultations and the second cause of hospitalization for children under one year of age.

135. There is a national programme for the control of acute respiratory infections among children, the basic strategy of which is community education and health unit training. A variety of educational material has been produced such as simple reading books, posters, videos and slides. With regard to training, workshops were conducted throughout the country. A very successful programme of out-patient care for obstructive bronchitis was introduced in 1991. The programme equips primary care establishments throughout the country with basic equipment and necessary human resources; it has enabled this complaint to be dealt with by out-patient facilities and consequently to reduce the demand for admission to hospital.

(d) Accidents, traumatism and poisoning

Goal: to reduce deaths due to accidents, traumatism and poisoning by 20 per cent to a rate of 2.0 per thousand live births in the year 2000.

136. Child mortality attributed to these causes is increasing. The rate has doubled in the two last decades and this group has moved from eighth to fourth cause of child death. The child mortality rate is 2.5 per thousand live births and the most common specific cause is the intake of liquid or vomiting which is responsible for 10 per cent of all deaths of infants under one year old.

2. Psychomotor development

Goal: to reduce the incidence of psychomotor development deficit in children under two years of age by 50 per cent over the decade to a rate of 8 per cent in the year 2000.

137. As child mortality rates improve, more children survive who have biological problems, specifically of the central nervous system which may produce a psychomotor development deficit. In Chile among children in low income groups this disorder starts to show itself at 18 months of age so that action to prevent the problem must take place at an earlier stage. The results of stimulation programmes affect not only the psychic development of the children but can also enhance the results of other nutrition and health programmes.

138. The following activities have been carried out under the programme for early stimulation and evaluation of psychomotor development: (a) training of 831 nurses in workshops conducted throughout the country; (b) distribution to all facilities of technical material consisting of textbooks and batteries for psychomotor development evaluation; one set of materials was made available to each urban and rural clinic, covering in all 468 primary care facilities; and (c) distribution of publicity posters to all primary care facilities and level 3 and 4 hospitals.

3. Child undernourishment

Goals: (a) to reduce the number of pregnant women with a nutritional gap by 20 per cent; (b) to reduce child undernourishment by at least 30 per cent; (c) to eliminate grade 2 and 3 undernourishment; (d) to reduce the incidence of low birth weight by at least 20 per cent; (e) to increase the percentage of children having natural food at six months of age to 60 per cent; (f) to reduce iron deficiency anaemia among nursing mothers by 50 per cent; (g) to reduce iron deficiency anaemia among pregnant women by 50 per cent; (h) to eradicate iodine deficiency disorders.

139. Child undernourishment reflects the degree of economic development achieved by a society mediatized by income factors (national and family), levels of education, development of productive and marketing infrastructure, habits and other socio-cultural and anthropological factors. The register kept by the national health service since 1975 shows an effective decline in

the rates of child undernourishment which stabilized from 1984 onwards; however, the greater proportion of underfed persons are grade 1 and the reference model needs to be reviewed.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

140. For practical reasons and to facilitate understanding of the subject, information is given separately on pre-school, primary and secondary education. Information has also been included on priority programmes and other important subjects, which demonstrate Chile's interest in responding to its commitment with regard to the rights of the child, always within the framework of the Constitution, the Constitutional Organization Act on Education, current education policy, the National Plan of Action in Favour of Children formulated in 1992 and the role of the Ministry of Education.

A. General background

1. The Constitution

141. The Chilean Constitution establishes education as a constitutional right. In its provisions relating to constitutional rights and duties, it defines the objective of education as the full development of the individual at the various stages of his or her life. Parents have the prior right and duty to bring up their children. The State is required to grant special protection for the exercise of this right. It is also responsible for promoting the development of education at all levels and stimulating scientific and technological research, artistic creation, and the protection and expansion of the cultural heritage of the Nation. The Constitution further stipulates that it is a duty of the community to contribute to the development and further improvement of education (art. 19, para. 10).

142. The Constitution guarantees freedom of education, which includes the right to found, organize and maintain educational establishments and the right of parents to choose a school for their children (art. 19, para. 11).

2. The Constitutional Organization Act on Education

143. Act. No. 18,962 of 1990 establishes the overall objectives for primary and secondary education, specifies the minimum requirements that pupils have to meet as proof of their performance, and determines cognitive and evaluative standards, together with standards relating to social participation and personal development. It establishes the freedom of each educational unit to determine the syllabuses and courses which it considers appropriate for effecting the education process. It also establishes the responsibility of the Ministry of Education to set the fundamental objectives for each year of study at the primary and secondary levels, and the compulsory minimum content that will facilitate attainment of the objectives set.

144. This constitutes the starting-point for the major curricular reform currently taking place in Chile. This process will bring national education into line with modern needs, whether they be ethical or value-related (creation of the fully-developed personalities needed in citizens in an increasingly complex world), or needs relating to productive efficiency

(creating skilled human resources to make us competitive in an increasingly global economy). This will consolidate democracy and promote sustained and sustainable economic development, which will directly benefit children by facilitating the application and exercise of their rights.

145. The Education Act also establishes the responsibility of the Ministry to design instruments that will permit the establishment of a system of periodic evaluation of the extent to which the fundamental objectives have been attained and of the compulsory minimum content for children in primary and secondary education. This system, currently known as the Education Quality Measurement System (SIMCE), is yielding annual results that give information on the level of attainment of the objectives in basic subjects (Spanish, mathematics, natural sciences, history and geography), identify shortcomings and facilitate the adoption of measures to improve learning by children.

3. The Government's education policy

146. This policy is responding to three fundamental challenges:

(a) The requirements of modernization in order to enable education to tackle the obstacles to be confronted in the national development effort at the dawn of the twenty-first century;

(b) The need to solve the major problems of management and inequity which exist in the education system with regard to the social distribution of knowledge;

(c) The definition of a State policy for the sector, as an outcome of broad and non-exclusive consensus, permitting long-term formulations as an effective, stable and forward-looking contribution to national development.

147. To respond to these challenges, education policy is based on a number of fundamental principles which give force and coherence to current educational activities:

(a) Improvement of the <u>quality</u> of education, in order to form children-individuals with a broad repertoire of knowledge, competence, skills, abilities, attitudes and values who develop their capacity to shoulder their responsibility in political and democratic development and their capacity to adapt themselves instinctively to the cultural, economic and technical conditions of modern life;

(b) Improvement of <u>equity</u>, in order to promote genuine equality of opportunity for all Chilean children to have access to and receive an education which ensures that they are fully integrated within society, as complete citizens and creative and productive individuals;

(c) <u>Participation</u>, given that education is the responsibility of all. Proposals have been made for a national education plan which is the outcome of society's consensus on these questions and which gives due consideration to all of the groups involved. Efforts are being made to create the conditions

and scenarios to ensure that education becomes the task of all, for the benefit of schoolchildren and all Chileans, opening up genuine opportunities for participation;

(d) Decentralization, both administrative and educational, in order to promote a new type of relationship between the various departments of the Ministry of Education - with renewed support capacity - and the educational establishments, with more resources, incentives and genuine opportunities for taking informed technical decisions, entirely for the benefit of pupils and students.

148. With the aim of giving full effect to the above-mentioned principles, the Government has formulated a wide-ranging programme, entitled "Improvement of the Quality and Equity of Education" (MECE), which will help to resolve the main shortcomings in the area of pre-primary, primary and secondary education. The programme will be executed during the period 1990-1997, with special emphasis on primary and pre-primary education, and has the financial support of the World Bank.

4. National Plan of Action in Favour of Children

149. The National Plan of Action in Favour of Children (PNI), formulated in 1992, establishes the principal targets and courses of action for the survival, development and protection of the child in the 1990s. In the educational sector, or in relation to education, the PNI covers: (a) infant development and initial education; (b) primary education; (c) problems resulting from the consumption of alcohol, drugs and tobacco; (d) disabled children and young persons; and (e) Chile's environmental problems and their effects on children and health. These sectoral proposals include, for each subject, diagnosis, policies and programmes, principal and subsidiary goals and, lastly, resources and activities. It is hoped that this Plan, regarded as an indication of Chile's undertaking to give children and young people a prominent place within national development, will serve as an instrument to guide public action in the various areas and will create broad awareness within society of our children and our responsibility towards them.

5. The role of the Ministry of Education

150. With the aim of confronting the challenges outlined in the previous paragraphs, the Ministry of Education has redefined its objectives, functions and overall structure. Within the framework of the existing legislation (Act No. 18,956 of 1990), it has the following specific functions:

(a) Proposing and evaluating educational and cultural development policies and plans;

(b) Allocating the necessary resources for the development of educational and cultural-outreach activities;

(c) Evaluating the development of education as a comprehensive process and reporting to the community on its results, at least annually;

(d) Studying and proposing the overall standards applicable to the sector and ensuring that they are complied with;

(e) Granting official recognition to educational establishments where appropriate;

(f) Supervising the activities of its subordinate units;

(g) Performing such other functions as may be entrusted to it by law.

151. For the purposes of the performance of these functions, the Ministry is organized at the national level but is also decentralized in functional and territorial terms, having 13 ministerial regional secretariats for education. These secretariats are responsible for planning, establishing standards for, and supervising the development of, the education process in the establishments situated within their area of competence, and ensuring the fulfilment of education policies and objectives and their proper adaptation to regional interests and needs. There are also 40 provincial education departments responsible for supervision and technical support and the administrative and financial inspection of the subsidized educational establishments within their jurisdiction.

B. Preschool education

152. According to data derived from the CASEN 1990 survey there were, in Chile, approximately 1,762,300 children under the age of six (14 per cent of the population). Of these children, 844,000 were living in poverty. Pre-primary education is intended for boys and girls from birth up to the age of 5 years and 11 months, and is not compulsory. It comprises three levels: crèche, middle level and transition level.

153. Twenty-one per cent of children under the age of six attend nursery schools. There are, however, marked differences between urban areas (24 per cent) and rural areas (8.5 per cent), and there are considerable differences at the regional level. In the 1st Region, 31.2 per cent of children under six attend school whereas in the 10th Region the figure is only 13.5 per cent.

154. An analysis of pre-primary education according to income level shows that in the higher-income levels enrolment is double that for the poorer levels. In the first income decile, enrolment is 15.4 per cent while in the tenth it is 36.1 per cent. About 175,000 children from the 40 per cent of the population with lowest incomes are enrolled in preschool education, which represents coverage of 17.3 per cent. This low figure is disturbing since it is the poorest children who receive the fewest stimuli and start primary school with subnormal psychomotor development, which subsequently affects their ability to learn to read and write.

155. The targets and activities to promote the rights of the child, from preschool education onwards, are integrated within the education policy which the Government has instituted for the sector since 1990. They are clearly geared to raising the quality of life of children; their attainment is considered feasible by the end of the century. They have been established on

the basis of a diagnosis which reveals the actual situation in which young children grow up and develop in Chile and have been formulated with the aim of producing an impact not only on the lives of children, but also on their families, the community and the country as a whole.

1. Chief targets for the decade

156. (a) To reduce the prevalence of deficiencies in psycho-social development in children under the age of six years who are in a situation of poverty;

(b) To improve the conditions in which children in a situation of poverty enter the school system, as regards both cognitive aspects and socio-emotional aspects.

157. The major purpose at this level is to promote the full and harmonious development of all Chilean children, in accordance with their stage of development. In order to fulfil this purpose, four subsidiary targets have been set:

(a) To increase enrolment in preschool or initial education, by promoting equity. In this connection, in 1991, 205,283 children were enrolled in the Ministry of Education's schools, 73,567 in the schools of the National Kindergarten Council (JUNJI) and 40,000 in the schools of the National Foundation for the Integral Development of the Child (INTEGRA). These figures increased in 1992, when approximately 220,128 children were enrolled in the Ministry's schools, 82,955 in JUNJI schools and 45,000 in INTEGRA schools;

(b) To emphasize prevention and parent education;

(c) To improve the quality of existing programmes;

(d) To improve efficiency in providing initial education services.

2. Resources and activities

158. The attainment of targets entails, in particular, the participation of the three institutions undertaking major preschool programmes in Chile, in addition to the NGOs which, for more than 12 years, have been conducting experiments in initial education with strong support from the community.

(a) Ministry of Education

159. The Ministry is the organ that regulates the education system and supervises and supports establishments administered by municipalities and State and private institutions. The preschool education provided by the Ministry has the following aims:

(i) Preschool children should lay the foundations of a well-rounded personality; they should gradually come to understand the world around them, developing their abilities, and should successfully accomplish the tasks involved in entering their environment as social and individual beings;

(ii) The family should develop as an educational agent; and

(iii) The community should play an active part in the learning process under way in the various preschool centres.

(b) The National Kindergarten Council (JUNJI)

160. The Council has the following institutional objectives: to improve the quality of the education programmes offered; to increase its coverage; to create situations of greater social equity; to develop a coherent education process (active, relevant, comprehensive and creative); to provide nutritional care and to rationalize resources.

(c) National Foundation for the Integral Development of the Child (INTEGRA)

161. The Foundation has the following institutional objectives: to broaden opportunities and the quality of care for children from marginalized sectors; to integrate parents and relatives in the process of educating their children; to train personnel to give due attention to the specific conditions in which they are working; to organize the community and sensitize it to the needs of children; and to contribute to a reduction in the incidence of undernutrition.

(d) Private and community programmes

162. These programmes have the following institutional objectives: to implement strategies for the promotion of infant development; to work with sectors of extreme poverty in urban and rural areas; and to emphasize community participation as a means of attaining their objectives.

163. In the light of the actual situation of preschool education in Chile, the Ministry of Education has laid down the following courses of action:

(i) Continued encouragement of expanded coverage in the municipal and private sectors;

(ii) Helping to create situations of greater equity and participation in the management of the Ministry by the various agents participating in preschool education;

(iii) Encouraging the technical-educational and administrative decentralization of regional and provincial technical teams;

(iv) Promoting the improvement of the quality of the education provided, giving priority to innovation and change.

164. In accordance with this approach, during the period 1991-1992 the Ministry of Education carried out joint activities with the support and participation of universities, related institutions, parents, teachers and community workers. Among these activities reference should be made to a number of projects whose common denominator was the attainment of autonomy and relevance to the curriculum:

(i) Sensitization and technical-support workshops: These represent a response to the need to create opportunities for discussion of goals and resources, seeking agreements on desired aims for the education of children, within a framework of respect and benefiting from the experience of grass-roots educators. To this end, an educational action model to sensitize participants to young children has been tested. During the period covered, 11 sensitization workshops and 6 technical-support workshops were held in five regions, involving some 1,600 people;

(ii) Educational support centres for curriculum and community development: These are self-managed specialized units which centralize information on curricula and encourage the study, organization and transfer of educational experiences. They are organized through the efforts and dedication of teachers and other workers in the local community. During the past few years, work has been done on the basis of the information obtained from the impact evaluation of the pilot centre. This has made it possible to improve aspects of the centre's operation, to initiate activities to replicate the experiment in other sectors and to produce audiovisual material for distribution;

(iii) Expression and creativity centres: These form part of a project arising from the critical analysis of the results of SIMCE, which indicate impediments to the development of self-esteem and self-regard, and the evidence of growing rigidity in the teaching and learning processes involving preschool children. They are designed for rural and semi-rural sectors and took concrete form with the establishment of an educational centre of a non-conventional character, managed by community groups, with the aim of increasing self-esteem and encouraging creativity and capacity for expression in the preschool children and persons involved. They are attended by children between the ages of two and six and pupils in the first year of primary education; they exist in six municipal schools and three family kindergartens in the rural sector of a commune in the 4th Region (Malloa). They are at present at the pilot stage, being centrally monitored and supported on an ongoing basis by the Ministry and the University of Chile.

(e) Preschool education in the MECE programme

165. In 1990 the preschool component of the MECE programme came into operation within the Ministry of Education. It is managed as part of the regular programmes of the institutions already mentioned, with the aim of promoting significant changes in the scope and quality of the preschool education provided and evaluating the cost-effectiveness of the urban and rural programmes, through projects specifically designed for the purposes indicated.

166. In 1992, the following targets were achieved:

(i) National Kindergarten Council

Increased enrolment in low-income urban sectors: achieved by opening family kindergartens focusing on children aged four and five. Entails the recruitment of personnel and the provision of teaching material and meals for all children. Number of children enrolled: 2,000; assistants recruited: 65.

Provision of teaching materials for the middle and transition levels of ordinary and family kindergartens: consists of a set of selected materials for each age group, to stimulate the development of various areas, for use by children in specific activities under the guidance of an adult and in independent class work. During 1992, preparations were made for international invitations to tender and the adjudication of bids.

Provision of methodological support material for work with parents: in 1993 the material in the programme "Manolo and Margarita learn with their parents" and "Know your child" is expected to be distributed in approximately 100 ordinary kindergartens, benefiting 3,900 families, and in 85 family kindergartens, benefiting some 2,500 families.

Recruitment of personnel: 43 supervisors have been recruited for the family kindergarten programme, and 6 kindergarten teachers and 82 assistant teachers for the ordinary kindergarten programme.

(ii) The INTEGRA foundation

167. In 1992, the following targets were achieved:

Increased enrolment in low-income urban sectors; it is planned to make available 1,800 new places, thereby using capacity available in open centres currently in operation, focusing on children aged four and five. The project provides for the provision of staff, teaching materials and meals for all children.

Increased enrolment in low-income rural sectors: preschool education was begun in a number of mini-centres in rural areas. The project provides for the furnishing of premises, the recruitment of personnel, and the provision of teaching materials and meals for 500 children at 20 mini-centres.

Provision of teaching materials for middle and transition levels in the open centres, thus benefiting all the children currently enrolled there.

Provision of methodological support materials for work with parents: in 1993, the "Know your child" programme will be developed in 10 regions.

Ninety-six kindergarten teachers have been recruited for the open centres in which there was still a shortage of teachers.

(iii) Ministry of Education

168. In 1992, the following targets were achieved:

Increased enrolment in low-income urban sectors with 1,500 or more enrolments at the second transition level (ages 5 and 6) of municipal schools: the project provides for investment in infrastructure and the building of 50 new classrooms; it entails the recruitment of teachers, the provision of teaching materials and meals for all children, and equipping rooms with essential furniture. In 1992, the programme was planned, its focus was studied and the relevant agreements were prepared.

Increased enrolment in low-income rural and urban sectors through non-conventional methods: the Ministry of Education, together with JUNJI and INTEGRA, will implement the non-conventional education programmes aimed at families, known as "Manolo and Margarita learn with their parents" and "Know your child". In 1993, their large-scale implementation is due to begin, and 150 monitors will be trained to deal with 2,250 families, while 37,570 sets of materials will be delivered to parents and 2,250 sets to schools.

Provision of teaching materials for the transition courses run by schools taken over by municipalities: in April 1993, teaching materials are expected to be distributed to all children enrolled in schools taken over by municipalities.

Personnel: the inspection of pre-primary establishments is one means of improving their quality. In 1992, 11 inspectors were accordingly recruited for the provincial departments which had the greatest shortages of such staff.

(f) Further training and continuing training of Ministry of Education, JUNJI and INTEGRA personnel

168 bis. A pyramid-type further training plan was initiated for the central specialized teams and regional coordinators of the three institutions concerned. The first active training day for provincial inspectors from the three institutions was held, and a strategy was instituted to monitor the process so as to improve the pyramid-type programme. In addition, a local integration workshop (national level) plan is being developed in conjunction with the Christian Humanism Academy University; it was initiated in 1992 and training in monitoring began in March 1993.

(g) Communications

169. There has been special emphasis on publicizing all current activities aimed at promoting the rights of the child from the standpoint of pre-primary education, both in the Ministry of Education and in JUNJI and INTEGRA. This is also the case with parent education. In 1993, educational messages will be communicated to parents via the media (radio spots and documentaries, television spots and mini-programmes, press and micro-media briefing kits, videos, posters, parent education sets, etc.). These materials will be made available to municipalities and preschool institutions.

170. In addition, civil society and, in particular, the NGOs have developed various activities aimed at publicizing and promoting the rights of children. The Chilean Commission on Human Rights and the newspaper La Nación have published a "Teachers' Handbook", for use in formal education, and a poetic musical entitled "La Pichanga".

(h) Legal aspects

171. The Constitutional Organization Act on Education currently in force does not include the preschool level as part of the Chilean education system. In view of this gap, a broad definition and minimum curriculum guidelines have been drawn up as a means of expanding access to financing for a greater number of institutions, initiating new programmes, exercising improved supervision of

conditions for children, creating access to non-conventional programmes, etc. This question is currently under consideration in Parliament. Once it has been approved, the legislation will be of direct benefit to the preschool sector. In any event, this situation does not affect the current functioning of the preschool system, but will affect the possibility of consolidating its functioning in the medium term.

3. Main problems

172. The main problems encountered in preschool education are the following:

(a) An estimated 732,792 poor children do not attend any educational establishment;

(b) Innovative strategies are needed to meet the needs of child care, integrating the family and the community. In addition, emphasis should be placed on the education of parents and the family in the care of the child, with the aim of enabling them to collaborate positively in the full development of their children;

(c) Curricula should encourage the development of skills and abilities that enable the various potentialities of children to be expressed, as well as including imputs from their social and cultural environment;

(d) It would be very beneficial to measure and evaluate the social impact of conventional programmes, through a comparative evaluation by specialized and external personnel, with instruments identifying the principal achievements and problems, thereby helping to raise the standard of care at this level.

C. Primary education

173. Taking into account the right of the child to education, and to enable that right to be exercised on the basis of equality of opportunity, the Chilean Constitution stipulates: "Primary education is compulsory, and the State is required to finance free of charge a system for this purpose, intended to ensure access to it by the whole population" (art. 19, para. 10). In this manner, compulsory and free education for children in the 6 to 13 age group is safeguarded and guaranteed, thereby giving effect to the relevant provision of the Convention (art. 28, para. 1 (a)).

174. Thus in 1990 almost 2 million children, equivalent to 91 per cent of all children between the ages of 6 and 13, attended school. Education was provided in 8,469 primary schools. Sixty-one per cent of enrolled pupils attended municipal schools, 32 per cent attended subsidized private schools and 7 per cent attended fee-paying private schools. The 9 per cent of children not enrolled in primary schools are from urban and rural marginal sectors. The main reasons why these needy children do not attend school include financial circumstances, difficulties of access and the need for special education.

175. At the primary level the following problems have been identified:

(a) Efficiency: Measured in terms of late entry, drop-out and repetition. Some 112,000 six-year-old children enter the education system late. The national drop-out rate is approximately 2.3 per cent. About 7.8 per cent of enrolled pupils (155,000 children) repeat their year;

(b) Quality: Children do not acquire the basic minimum knowledge. The SIMCE has revealed the predominance of low performance and the poor quality of the education received by most children, indicating that they learn little over half what they should learn;

(c) Equity: The schools teaching children from poorer socio-economic groups are those which achieve the lowest results, especially in rural sectors. According to the SIMCE, there is a difference of 25 points between these children's results and those of children from higher-income sectors. In this connection, the educational high-risk schools are not functioning as equalizers of opportunities and are impeding attainment of the objectives of primary education.

1. Overall objectives

176. The Constitutional Organization Act on Education stipulates that "primary education is the educational level which fundamentally aims at the development of the pupil's personality and training to enable him to take his place and actively integrate in the social environment" (art. 7). It further stipulates that the overall objectives of primary education shall be to ensure that, on leaving primary school, pupils are capable of:

(a) Understanding reality in its personal, social, natural and spiritual dimensions and developing their physical, emotional and intellectual potential in accordance with their age;

(b) Thinking in a creative, original, considered, rigorous and critical manner, and having a spirit of individual initiative, in accordance with their possibilities;

(c) Behaving responsibly in life, through adequate spiritual, moral and civic training, in accordance with the values peculiar to our culture;

(d) Participating in community life, conscious of their duties and rights, and preparing themselves for citizenship; and

(e) Pursuing secondary-level studies in accordance with their abilities and expectations (art. 10).

The foregoing demonstrates that Chilean legislation defines objectives for this level which are consistent with those set by the Convention in article 29, in particular in paragraph 1 (a), (b), (c) and (d).

177. In order effectively to achieve the overall objectives set for primary education and to reduce the problems and difficulties confronting it, thereby giving effect to the principles of education policy, the Democratic Government

has, since 1990, been tackling the major challenges and tasks of an institutional, organizational, financial and administrative nature that will bring about an improvement in conditions and procedures at the primary level and at the other levels, of the education system. This is the background to the adoption of the Teachers' Statute Act and its regulations (which improve conditions in the teaching profession), the amendment to the Educational Subsidies Act (increasing the availability of resources), the amendment to the Constitutional Organization Act on Education and other measures at the national level.

2. Programmes to improve education

178. At the same time, action has begun on the implementation of two large-scale priority programmes to improve education, the Programme to Improve the Quality of Poor-Sector Primary Schools and the Programme to Improve the Quality and Equity of Education (MECE).

(a) Programme to improve the Quality of Poor-Sector Primary Schools (P-900)

179. This first Programme initiated to improve the quality of the teaching and learning of children and equity of distribution, in its first two years of operation (1991-1992), benefited some 222,000 children and 7,267 teachers from 1,385 schools, at a cost of 5 million dollars a year. Activities carried out under the Programme include:

(a) The repair of school buildings and equipment;

(b) Free further training for all first to fourth-year teachers from schools participating in the Programme;

(c) The supply, in 1990, of 125,000 additional textbooks to ensure that all pupils attending participating primary schools have textbooks on Spanish, mathematics, social sciences and natural sciences; in 1991, the number of textbooks supplied by the Ministry rose by a further 185,000;

(d) The establishment of class libraries and provision of teaching materials; first and second-year classes were given a small library containing 35 to 40 children's books per classroom;

(e) Learning workshops for third and fourth-year children who have fallen behind in their studies; in 1990, these workshops were attended by over 35,000 children and in 1991 by a further 45,000;

(f) Further training for principals with the aim of enabling them to formulate a school improvement programme in the context of the objectives of the P-900 Programme;

(g) Special attention given to 107 single-teacher and dual-teacher schools, organizing teachers' support days and adapting textbooks to local realities.

(b) Programme to Improve the Quality and Equity of Education (MECE)

180. This Programme, the most important for the implementation of education policy, entails investment of 170 million dollars, most of which is allocated to improving the quality and equity of primary education. At the primary level, the Programme was initiated in 1992, with medium-term targets for 1996. Its aim is substantially to improve the inputs, processes and performance of the school system, at the primary level and also at the pre-primary and secondary levels. It further entails upgrading the management capacity of the Ministry of Education.

181. The objectives of the primary MECE programme are to improve quality and equity, understood to mean: systematic improvement in breadth, depth and relevance of the basic cultural education of children and gradual improvement of the social distribution of such education, in accordance with the principles of equality of opportunity and positive discrimination in favour of groups in a situation of educational risk.

182. It focuses primarily on improvements in the following basic areas: (i) Textbooks, guides and teaching material; (ii) class libraries; (iii) health care; (iv) assistance with infrastructure; and (v) further training of teachers.

183. As regards improvement and innovation, it focuses on: (i) decentralization of teaching; (ii) rural education; (iii) computerized interschool learning network; and (iv) specific support for high-risk schools (continuing the P-900 Programme).

184. Under the MECE Programme, progress will be made in the decentralization of education through the execution of 400 educational improvement projects (PMEs) in selected primary schools in 1992 and the formulation of a further 2,000 new projects for 750 selected schools, beginning in 1993. In addition, since 1992 teaching support packages have been delivered to PME schools and are continuing in 1993. In order to support the formulation, evaluation and monitoring of the PMEs, 40 new primary-school inspectors were appointed in 1992 and a further 53 will be appointed in 1993.

185. In the context of rural education under the MECE programme, continued support will be given to 628 uncompleted schools and to a further 640 in regions with greatest needs. Forty-four inspectors and 900 teachers will be trained. Special textbooks will be prepared and 1,852 curriculum development handbooks will be distributed for use by teachers; four demonstration micro-centres will be set up for 28 schools. In addition, the infrastructure of 470 primary schools will be upgraded and 100 classrooms will be built or repaired in uncompleted rural schools.

186. The interschool communications network, provided for under the MECE Programme, was installed in 6 schools in 1992 and will be extended to 20 schools in 1993. Teachers will be trained and appropriate material will be supplied for the network. The further-training workshops will be attended by a total of 28,600 principals and teachers, in addition to the workshops for inspectors and specialist personnel from municipal education authorities. Libraries in 6,530 fourth-year classes will be expanded by

a further 60 volumes. Teaching materials, consisting of 17,819 calendars and 333,025 abacuses, will be supplied to first and second-year classes and 185,412 calculators to first to fourth-year classes.

187. It is anticipated that all these measures will enable the specific targets of the MECE Programme to be met and the quality and equity of primary education improved, with a consequent reduction in drop-out and repetition rates and an increase in school performance. These priority programmes are being supplemented by other improvement support programmes, such as the programme of initiation in working life and creativity (technological classes), equivalent to the Galileo 2000 Project being implemented in Spain. All programmes are being widely publicized throughout the national community with the aim of involving the whole country in their success, for the direct benefit of Chilean children.

188. Primary education also includes special education, which has its own syllabuses and courses, and is intended for children with special needs (communication difficulties, mental deficiency, visual deficiency, motor disturbances, serious deficiencies in ability to communicate and relate). All these types of disability are dealt with in special schools, while children with specific learning problems are taught in separate groups in ordinary primary schools.

189. Disabled pupils have been incorporated in ordinary schools (kindergartens, primary and/or secondary schools). For this purpose, in 1990 the Ministry of Education issued Supreme Decree No. 490 laying down regulations for this process: in 1993 it is hoped to increase the number of disabled pupils taught in this manner. In 1990, 33,043 children were taught in special schools and 44,424 in separate groups, while 32,000 children attended the Ministry of Education's diagnostic units. These figures are expected to grow over the next few years as more attention is given to disabled children, particularly in rural areas.

D. Secondary education

190. The aim of raising standards underlying policy with regard to this level of the education system comprises not only more efficient learning but also the formation and development of positive attitudes that facilitate integration in the social, cultural and economic environment. It is the responsibility of the Ministry of Education to determine curricula through general syllabuses and courses. Schools are free to formulate syllabuses and courses in keeping with their own situation and the particular characteristics of their pupils; in formulating them, the schools will bear in mind the official guidelines shaped by the objectives and compulsory minimum content for each year of study. In accordance with the Constitutional Organization Act on Education (No. 18,962) of 1990, determining the overall objectives for pupils at this level of education helps to maintain the minimum bases which safeguard the sense of identity and basic unity.

191. In general, secondary education aims to help students to leave school in a position to:

(a) Develop their intellectual, emotional and physical capability on the basis of spiritual, ethical and civic values enabling them to live their life in a responsible manner both spiritually as well as materially and which will help them permanently to improve themselves;

(b) Develop their ability to think freely and reflectively, and to judge, decide and undertake activities for themselves;

(c) Understand the world around them and integrate into it;

(d) Understand and appreciate our historical and cultural heritage and be familiar with the realities of national and international life; and

(e) Continue their studies or take up activities in keeping with their aptitude and expectations.

192. A certificate of primary education is required before moving on to the next level, which covers the age group from 14 to 17 years and consists of four years of study. The Organization Act set the upper age limit for beginning secondary education at 18 years of age. Raising the age limit represents an attempt to facilitate further studies among those pupils who, owing to social, cultural, health or performance problems, or geographic isolation, have taken longer than usual to complete their primary education, and thus to boost the number of pupils moving on to secondary education.

1. Coverage

193. There are two branches of secondary education: humanistic and scientific, and technical-vocational education, for which coverage in 1991 was as follows:

ENROLMENT IN SECONDARY EDUCATION (SCHOOL YEAR 1991)

Branch	Men		Women		Total	
	Number	%	Number	%	Number	%
Humanistic and Scientific	204 776	59.40	232 116	65.0	436 892	62.5
Technical-Vocational	137 239	40.12	125 324	35.0	262 563	37.5
Total	342 015	100	357 440	100	699 455	100

Source: Publication of the Data Processing Department, Ministry of Education, 1991.

2. Innovative programmes and guidelines

194. Efforts at the secondary school level focus on ensuring an equitable and qualitative distribution of the benefits of education. Thus, education and learning are seen as ongoing and fundamental activities for the pupil. Similarly, this implies the development of criteria which help to instil a sense of participation, responsibility, work and solidarity, love and respect for oneself and others, and an awareness and authority conducive to behaviour which respects the proper and balanced use of the natural environment.

195. The principles described above help to develop the students' independence, creativity, reason and critical awareness, thus helping them to overcome their passiveness and take an active part in various school activities. Through their independence, they are given the opportunity to exercise their freedom and decision-making ability, to communicate and negotiate with others, taking initiatives and working together. This approach has made it possible to respond to the concern on the part of students for their status as citizens by once again establishing, in the standards governing the operation of schools, the legal foundations for the reform and creation of Student Centres on a democratic basis. These student bodies are seen as a channel through which the concerns and needs of young people can be expressed and shared. In this way, the school environment gives students the chance to become used to social interaction and responsibility.

196. To this end, the function of the Student Centres is established together with the way in which the members of the executive board and the class committees should be elected, on the basis of operational rules drawn up by each Centre, known as the rules of procedure. Student Centres are created by students in each branch of secondary education. Their aim is to act as a forum, in accordance with the objectives of the establishment and subject to schools' organizational regulations, through which their members can develop their powers of reflection and critical judgement and their willingness to take action, and to prepare them for democratic life and participation in cultural and social exchanges.

197. A further programme has been created at this level of education in response to the need for the support of students, as monitors, in intervening preventively to sensitize their fellow students to the dangers of drug and alcohol consumption and to encourage them to take care of themselves. In this regard, the methodological emphasis is on student participation in educational, intellectual, recreational and cultural activities in the wake of the option for a positive and healthy lifestyle. This programme, entitled "Educational Guidelines for the Prevention of Drug and Alcohol Consumption among Young People in Secondary Education", is being set up in the eight highest-risk regions of the country.

198. With regard to administrative aspects, the main characteristic is decentralization. In practice, this means that each region, through its specialized regional team, has drawn up its own plan of action, setting its own specific goals reflecting the national programme's guidelines and has decided how to allocate the financial resources provided by the national authorities in accordance with the requirements of its plan. This programme

is being implemented in eight regions of the country. In the eight selected regions, the strategies implemented achieved the following coverage for 1992:

Student monitors:	10,031
Teacher monitors	501
Parents and representatives	6,612

199. The strategies used include training workshops for student and teacher monitors, on subjects such as personal development, group work methodology and specific information in this area. There have also been campaigns to raise the awareness of the student population and society in general. Culture and recreational youth days have been held to show young persons how best to use their free time in order to enjoy a healthy life. Both students and teachers have been encouraged to take part voluntarily in all activities, as a result of which these large-scale youth days focusing on healthy lifestyles have been able to reach more and more students.

200. The Ministry financed the activities of each participating region in 1992 to the tune of $51 million, with each regional project accounting for approximately $3 million. The prevention programme is continuing in 1993; financing has been increased to $57 million, and it has been extended to cover the whole country. There are plans to increase the programme's coverage and to obtain the participation of an even greater number of students at the corresponding level. Another element which should be highlighted is the programme's intersectoral nature, with the Ministry of Education, Ministry of Health and the National Youth Institute all involved in its design and implementation.

3. Study of the problems of secondary education and proposal for its improvement (MECE Programme for Secondary Education)

201. In an attempt to improve the quality and equity of education, the Government has taken up the challenge of initiating studies aimed at laying the foundations for an education proposal. An analysis of secondary education shows great diversity among the school population, with varying academic and social conditions and aptitudes, pointing to the overriding importance of valid background information as a basis for a more effective and suitable educational proposal. It is essential, if this proposal is to succeed in fostering the reorganization of secondary education on the basis of quality and equity, that the groundwork be done to ensure that appropriate information is available. To this end, studies are being undertaken to gather information on the problems involved with a view to drafting a new policy for secondary education. The subjects studied include curriculum and structure, working practices and socialization, quality assessment, management and financing, and teacher training.

202. At the same time, a dissemination and communication campaign is being set up to raise the awareness of the population, encouraging people to discuss issues and register their opinions to give an idea of the requirements of the various sectors of the country with regard to secondary education. To further

the campaign, support material has been produced for discussion groups, as well as information leaflets which give advice on participation. These activities must be concluded in 1993 so that the proposal for secondary education policy in Chile can be drafted.

203. Programmes are also under way to improve technical and vocational secondary education. These include the organization of special technical and vocational studies in municipal scientific-humanistic secondary schools in poor urban areas, to be provided with an infrastructure, workshop equipment and further training for human resources. This programme began in 1992 and will be expanded gradually. Furthermore, workshop equipment will be provided for 18 municipal technical and vocational secondary schools, and teachers in the various technological fields will be given further training. Moreover, the technical and vocational secondary schools will be provided with 260 advisory and technical assistance offices for two years. This programme began in 1992 and is one aspect of the National Programme to provide Vocational Training for Young People.

E. Assistance Programmes for Students

204. In the interests of equity, a series of assistance programmes are being set up, providing direct assistance for children in pre-primary, primary and secondary education. Their main aspects include:

(a) Indigence grants: in 1992, these were given to 2,500 poor primary school children and 1,000 secondary school children in seven regions of the country. They consist in financial assistance.

(b) Special grants: in 1992, 100,000 secondary school students received free school meals and equipment, 14,000 were given grants on the basis of the scholastic aptitude test, and 1,500 pupils received free medical care. All these students were from a poor background, had performance problems and a poor attendance rate. The objective is to reduce the drop-out rate and improve performance.

(c) President of the Republic Scholarships: These take the form of monthly financial assistance for students in secondary education (7,008 in 1992) and in higher education (8,013 in 1992), all from poor backgrounds but with a good academic record. In 1993, an effort will be made to extend coverage to 17,000 scholarships.

(d) Act on grants No. 19,123 (compensation): Financial assistance is given to students in secondary and higher education from all sectors of society who have been subjected to human rights violations or political violence. In 1992, financial awards were made to 815 students nationally. This will increase to approximately 1,000 students in 1993.

(e) National Committee for Educational Assistance and Grants: In 1992, under the School Meals Programme, which aims to help solve problems related to absenteeism, repeating of school years, and the drop-out rate, 650,000 free school meals were provided for primary school children throughout the country. In addition, 1,177,000 sets of school supplies were distributed, and, fluor was administered to 400,000 children under the Oral Health Programme.

(f) The purchase of school books: Assistance takes the form of school textbooks on Spanish, mathematics, natural sciences, history and geography. In 1992, assistance was provided to 1,779,688 primary school children attending grades one to eight in subsidized schools in rural and urban areas. To this end, 5,581,780 textbooks were purchased. The purchase of 6,126,360 textbooks for 1,860,680 children is planned for 1993.

F. Environmental and ecological education programme

205. The basic aim of the national permanent environmental education programme is to instil in children values which will translate into an awareness of and a change in attitude towards the natural and socio-cultural environment, with a view to improving the quality of life and promoting sustainable development. In 1992, its main activities consisted in:

(a) The organization of three further training and refresher seminars on environmental education, and three interregional meetings on environmental education policies;

(b) The publication of three environmental education modules, as a backup for teachers;

(c) The establishment of 13 regional permanent working committees on environmental education;

(d) The drafting of the "Green Network" project, which aims to set up a system for the promotion, communication and coordination of environmental activities among young people from 50 secondary education establishments, from three regions (5th, 6th and metropolitan), enabling them fully to exercise their freedom and to become an integral and valuable part of the community in which they live. It is the result of an agreement between the Ministry of Education and the Guides and Scouts Association of Chile. Its main activities include 100 ecological trips and the training of 300 monitors, publishing simple books, posters and pamphlets;

(e) The holding of events related to the environment (International Earth Day, the Month of the Sea) and a national competition for "Green Action" student centres.

G. The MECE Institutional Programme

206. One major element in the Programme to Improve the Quality of Education is the MECE Institutional Programme whose main objective is to increase the management capacity of the Ministry of Education, turning it into a body with the management and technical resources required to implement government policies through priority programmes and activities. This includes activities to optimize, in particular, the management of the provincial education departments, while at the same time improving supervisory activities, with a view to providing support for the efforts of the educational units and for the supervisory work of the Ministry.

207. Furthermore, equipment is being installed to assist the Ministry in its task, including vehicles, telephone lines, faxes, radio communications, and

furniture. A national computer network is also being set up for the Ministry, along with a system for the coordination of sources of information in the education sector, to contribute to the generation, transmission and analysis of data, and a national network of computational data is being designed.

208. Consideration is also being given, pursuant to the provisions of current legislation on public service employment, to the establishment of subsystems for training, staff movement, qualifications and remuneration of staff working for the Ministry of Education.

H. Out-of-school education

209. In addition to the formal education of Chilean children, the Ministry of Education provides for out-of-school education by encouraging and organizing activities with a view to channelling any anxieties and directing any self-declared interests towards group activities monitored by a teacher. The Department of Out-of-School Education and its different operational branches organize, broadcast, provide information on, promote and assess recreational activities for children and young people, channelling these activities into five areas: sports and recreation, artistic and cultural activities, scientific and technological activities, the environment, and social integration.

210. Within an educational unit, the groups taking part in a given area of activity (sports, artistic, scientific or other) organize their programme by drawing up a plan of activities for the group for the coming year. At the same time, the Department offers a number of opportunities for participation in large-scale events, competitions and other selective activities involving several stages (municipal, provincial, regional) in order to give the region a chance to be represented in one or other activity. On these occasions, the group chosen as representative has the chance to travel and get to know other places, even other countries, together with their teacher/monitor.

211. Since 1992, the Department of Out-of-School Education has financed the activities of children and young people in two ways. Firstly, direct support is given for out-of-school groups for certain areas of activity involving children from the most underprivileged or marginalized sectors. This support is provided on the basis of a project submitted to the Department, and takes the form of financial resources and equipment (sports, musical, laboratory etc.), together with methodological support (technical manuals, instructions, etc.). Secondly, support is provided through the organization and holding of events for similar groups, such as: national exhibitions (art, science and technology, environment); conventions (participation and social integration); and games, sports competitions and championships. All these activities involve a number of stages, starting from educational unit at the municipal, provincial or regional level and going right up to the national level. In 1991 and 1992, national events in the field of sports were carried one stage further, to the international level, with participation in the Southern Cone Games, with Chilean delegations going to Brazil (1991) and with Chile hosting these Games attended by young people from seven neighbouring countries in Viña del Mar - 5th region, (1992).

212. Alongside the annual national competitions in each area of activity, there is a host of opportunities for involvement in educational activities such as competitions, meetings, seminars and exhibitions, organized by the Department of Out-of-School Education (national, regional) and sponsored by national and foreign public and private enterprises.

213. The persons involved in the support of out-of-school activities, both those belonging to the operational network of the Ministry of Education and the teachers acting as group supervisors in educational units, take part in methodological courses organized by the Department in conjunction with the Centre for Further Training, Experimentation and Pedagogical Research (CPEIP), held in various regions of the country. There are plans for teachers to attend a post-graduate course in out-of-school education in 1993, organized by the Catholic University at Valparaíso.

214. Annual assessments are made of the technical, educational, administrative and financial aspects of the activities, using different techniques and guidelines for evaluating each area. Every year a report is drawn up and edited, detailing what has been and what will be carried out in the yearly plan which provides the basis for these activities.

215. Funds for the Department's various programmes (promotion, development, competition, supervision, training, research, etc.) are provided by the Ministry of Education, the Department of Sports and Recreation, and from resources allocated by private or public institutions to specific projects.

216. Since 1991, special programmes have been organized during the school summer holidays, making use of the existing educational facilities. The programmes are provided with human resources and equipment, and consist in a series of sports and recreational activities for children between 14 to 18 years of age from the areas with the highest social risk.

217. In 1992, the principles of quality, equity and participation on which the Government's educational policy is based were reflected in the special emphasis given to the promotion and development of clubs, workshops and academies specializing in recreational activities set up by educational establishments; and in the priority concern for the sectors of highest social risk in areas of extreme poverty and marginalized rural and urban areas, where there has been increased participation on the part of teachers, representatives and students.

218. Out-of-school activities mainly involve grass-roots groupings, with support and guidance being given to their members and to teacher-monitors in five main areas of activity:

Out-of-school education

Area of activity	Total number of participants	
	1992	1993
Artistic and cultural	703 500	723 500
Scientific and technological	21 328	39 700
Environmental education	244 524	257 500
Participation and social integration	249 985	274 460
Sports and recreation	1 039 372	1 211 455
Total	2 259 009	2 506 615

Source: Department of Out-of-School Education - Ministry of Education

219. The following programmes are also being developed:

(a) The Programme for the Promotion and Development of Out-of-School Education: in 1992 there were 12,000 projects, 2,400 of which were approved; for 1993, 18,000 projects were proposed, 5,000 of which have been selected; 460,000 pupils will be involved. Educational establishments are provided with implementation and teaching materials for the activities involved, as well as technical assistance (advice, manuals and reports, etc.).

(b) The training and further training programme: in 1992, 714 group teacher-monitors attended special training courses. In 1993, 1,600 teachers are expected to attend. The programme will include a correspondence course aiming to cover 1,400 teachers. Summer schools ("schools for young people" in marginalized urban sectors): in 1992, 18,000 children took part from 45 of the country's municipalities; for 1993, there are 26,000 participants from 52 of the country's municipalities.

220. Finally, it should be pointed out that out-of-school educational activities also include activities to develop artistic creativity and to preserve the cultural heritage, activities which take account of the need for rest, recreation and cultural activities as provided for in article 31 of the Convention.

VIII. SPECIAL PROTECTION MEASURES

A. The National Service for Minors

221. The State provides protection through the National Service for Minors (SENAME), under the Ministry of Justice, in cooperation with non-profit-making private institutions officially charged with this function. Chile has 527 juvenile protection establishments, employing approximately 7,500 people who, in a variety of ways, care for 49,000 children and young people under 21 years of age. The system to protect children is financed by the State to the tune of US$ 30 million a year; for the most part, the funds are passed on to private institutions in the form of a subsidy for each child cared for in the establishments.

222. The National Service for Minors has drawn up a special training programme for 1,693 officials who care for minors in protection establishments. On the basis of this experiment the staff's needs in terms of training and specialization have been pinpointed and a national and regional project has been outlined to make optimum use of human resources. To support its staff training activities, the National Service for Minors has a documentation centre which specializes in juveniles at social risk, in conflict with the law or experiencing problems of custody. This centre is an important element in stimulating and guiding research and contributing towards a more thorough understanding of the problems to be dealt with in the legal domain.

223. The methods of juvenile care are designed to make it possible to attend to the particular needs of each individual. They can be classified into traditional and non-traditional methods.

1. Traditional methods of care

(a) Observation and diagnosis

224. This is not a form of social assistance but, rather, the procedure whereby the minor enters the system, and the authority that conducts the evaluation of the minor decides, in conjunction with the juvenile judge, on the protection measure to be applied. Because of the characteristics of these centres and their importance for the planning and structuring of the entire system of assistance for minors, it was decided in 1991 to transfer their administration to the SENAME without any intervention by private institutions.

225. The following table shows the population receiving care in the Observation, Transit and Diagnosis Centres (COD), by age and sex (June 1992):

Sex	Age								Unspecified	Total
	0-3	4-6	7-9	10-12	13-15	16-18	19-21	<21		
Female (32.6)	130	74	75	91	126	76	10	-	18	600
Male (67.4)	180	145	167	287	231	203	9	7	7	1 422
Total (100%)	380	219	242	370	360	279	19	7	25	1 842

Source: SENAME

(b) Protection

226. Protection is designed to modify or overcome a lack or disruption of custody for the minor, so as to achieve his social reintegration at the earliest possible date. Under this form of care, it is sought to integrate the minor into his own or a substitute family environment. Closed-institution care is given to 20,695 minors in 309 establishments; 1,449 minors with slight or moderate mental deficiencies in 23 establishments; and 725 minors with serious mental deficiencies in 6 establishments. In addition, 2,557 minors receive care under the family placement scheme.

227. The following table shows the child and juvenile population receiving care in the form of simple protection, by age and sex, both in closed centres and in family placement (June 1992):

Sex	Age								Unspecified	Total
	0-3	4-6	7-9	10-12	13-15	16-18	19-21	<21		
Female (46.4)	498	1 179	2 164	2 972	2 611	1 714	491	101	7	1 737
Male (52.6)	547	1 169	2 623	3 256	2 685	1 951	570	207	12	13 022
Total (100%)	1 045	2 348	4 787	6 220	5 296	3 665	1 061	310	19	24 759

Source: SENAME

(c) Rehabilitation

228. Rehabilitation is designed to modify behavioural disturbances which lead minors to break the law so as to achieve their appropriate social adaptation. Under the behaviour rehabilitation scheme, 854 minors receive care in 16 closed institutions. Under open-environment rehabilitation schemes, 2,770 minors are given care under probation or rehabilitation procedures in day centres, and an additional 968 places are being provided under these behaviour rehabilitation arrangements.

229. The following table shows the child and juvenile population in behaviour rehabilitation, distributed according to age and sex, either in closed centres or on probation (June 1992):

Sex	Age							Unspecified	Total
	0-3	4-6	7-9	10-12	13-15	16-18	19-21		
Female (21.8)	-	-	-	11	224	350	56	3	644
Male (78.2)	-	-	-	101	728	1 369	191	11	2 300
Total (100%)	-	-	-	112	952	1 719	247	14	2 944

Source: SENAME

(d) Prevention

230. The prevention procedure helps to modify or overcome conditions which can disrupt or disturb the structure and/or dynamic of the family, leading to abnormality in the custody or conduct of the minor. A total of 18,386 children receive attention in 156 day-care centres. Day care is also provided to 80 minors with mental deficiencies of various kinds.

2. Non-traditional forms of care introduced from 1990 onwards

(a) National Diagnosis and Family Guidance Centre

231. The aim of this project is to improve non-institutionalized care for minors at social risk or in an irregular social situation. It has 10 centres situated in 7 regions of the country, with coverage for 19,720 minors. In this connection, a start has been made on deinstitutionalizing care for minors, using closed institutions only for minors whose social, family and/or individual circumstances do not allow them to receive care in an open environment. This helps to ensure that internment for minors who require such a measure takes place in centres housing small groups of children and whose working methods make them as close as possible to a family environment, such as the residential communities, minors' hostels and family-style homes.

(b) Support programme for young people in closed institutions

The aim of this programme is to improve the living conditions of such individuals, prevent an increase in their criminality, provide constructive leisure alternatives and establish positive personal relations between the young people concerned.

(c) Specialized legal assistance service

The aim of this service is to analyse the judicial record of the juvenile delinquent concerned and arrange an appropriate counsel for his defence. To date, 347 cases have been dealt with in the Metropolitan Region. This has led to a substantial reduction in the length of time for which young people are held in the Adult Detention Centre.

(d) Psychological and anthropological diagnosis programme

This programme provides comprehensive guidance for the subsequent rehabilitation of the minor.

(e) Child, family and community programme

Through the SENAME, the justice sector set up an alternative project fund supplementing the system of grants which has enabled innovative child-care strategies to be incorporated in the assistance network.

B. Children in conflict with the law

1. The administration of juvenile justice

232. The system for the administration of juvenile justice in Chile is organized on the basis of the juvenile courts, which have special jurisdiction in all matters entrusted to them by the Juvenile Act (No. 16,618 of 1967) and other laws granting them competence. In general, the juvenile judges deal with all civil and criminal matters relating to persons under the age of 21, and especially their custody (for example, if their parents separate), maintenance, the visiting rights of the parent not awarded custody, adoption, authorization to leave the country and other questions such as decisions regarding the future of minors declared to be in material or moral danger and the measures to be applied to minors who have committed criminal offences or have behavioural problems.

233. As regards criminal offences, the jurisdiction of the juvenile judges is confined to juveniles under the age of 16, to whom such offences cannot be imputed, and juveniles between the ages of 16 and 18, unless the latter are found to have acted "with discernment", a point on which the juvenile judge also pronounces. Young people over the age of 18, and those between the ages of 16 and 18 who are declared to possess discernment, are subject to the criminal system applicable to adults and the jurisdiction of the criminal judge. If convicted, persons in the second category (who are "children" in the language of the Convention) have their sentences reduced.

234. Under the Juvenile Act, for the purpose of applying protection measures and determining the time and conditions of execution, the juvenile judge must hear the technical adviser of the Casa de Menores, followed under the law by the public body responsible for implementing social policies for children and adolescents, the SENAME. This is the organ which, either directly or through agreements, administers the institutions to which minors are entrusted for the application of protection measures.

2. Children deprived of liberty

235. Regarding this problem, it is sufficient to refer to the description given earlier (see para. 54).

3. The imposition of penalties on children

236. The legal system does not grant the State the right to impose penalties on children excluded from the criminal system as a result of non-imputability. It should be noted, however, that the correctional and rehabilitation measures which may be applied by the juvenile judge can extend to custodial measures which in fact are felt by the minor to be a penalty.

237. In the case of young persons between the ages of 16 and 18 who are declared to possess discernment, the same penalties are applied as under the criminal system for adults, but with one mitigating factor: such minors are given the lightest penalty provided for by law for the offence concerned, and this penalty is then further reduced by one degree. This rules out not only the imposition of the death penalty but also that of life imprisonment.

238. In this connection, it is interesting to note that Congress is currently considering a bill (awaiting the approval of the Senate after already obtaining the approval of the Chamber of Deputies), initiated by presidential message, which sets the age of criminal responsibility under the law at 18, eliminating the procedure and institution of "discernment" and establishing a system of responsibility for criminal offences in the case of juveniles between the age of 14 and 18. The latter would be tried by the juvenile judge in accordance with the same procedure applied to older defendants, but would only be subjected to the correctional and rehabilitation measures established by the Juvenile Act, to which is added one further measure namely confinement in a special behavioural juvenile rehabilitation centre for a period of up to five years.

C. Children in situations of exploitation

1. Child labour

239. Extensive reference has already been made (para. 50) to the regulations pertaining to child labour, in accordance with the labour standards of our legal system. It should, however, be added that, according to studies carried out by UNICEF on the basis of data furnished by the 1982 census, in 1987 there were approximately 107,000 children at work in Chile, of whom some 97,000 were in the informal sector of the economy, and only 10,000 in the formal sector. The majority of children working in the formal sector suffer from discrimination in respect of wages and rest periods and, in addition, a

substantial proportion are exposed to physical or moral danger. The majority of children working in the informal sector combine such work with their studies. A sizeable proportion (52 per cent) work in the street and more are employed than self-employed.

2. Exploitation and sexual abuse

240. Chilean legislation protects children against any form of exploitation or sexual abuse. Firstly, criminal legislation penalizes the offence of corruption of minors and the promotion of prostitution, without prejudice to the penalties laid down for conventional offences constituting attacks on the sexual freedom of individuals. Secondly, as was mentioned earlier (para. 50), labour law contains provisions prohibiting juveniles under the age of 18 from engaging in employment that might be injurious to their morals.

241. Nevertheless, it should be pointed out that there are no definitive studies in Chile permitting an estimate of the scale of the problem of sexual abuse of girls and boys, which is closely linked to the problem of ill-treatment of children within their family environment. In any event, two legislative initiatives designed to penalize the ill-treatment of children are currently under consideration, one of which is specifically directed to solving the problem of violence within the family.

CONCLUSIONS

242. This initial report on the extent of progress in implementing the Convention on the Rights of the Child in Chile has provided an excellent opportunity to identify the main challenges facing the country in its efforts to continue advancing towards the realization of the rights of the child, without discrimination of any kind.

243. In recent decades, there has been significant progress in the situation of children as a result of the continuity and expansion of health, nutrition, education, basic sanitation and other programmes, combined with the application of social policies geared to the most vulnerable groups, notably the child population, and especially children under the age of six.

244. In 1990, the Government of President Aylwin made it a priority to implement comprehensive, participatory and efficient social policies, while at the same time restoring social spending to earlier levels. The social expenditure allocation for 1993 represents an increase of some 50 per cent in real terms in relation to the budget inherited from the military Government. This effort made up for the steep decline in social spending during the previous decade, which was particularly keenly felt in the areas of health, education and social security, affecting the quality and coverage of the main social programmes directed towards the poorest children (school assistance, supplementary food, care for abandoned children, etc.) and the State's neglect of problems affecting the adolescent population, including drug addiction and adolescent pregnancies. Moreover, the existence of an authoritarian regime impeded the advancement of the child as a subject of law in a broader context of protection and promotion of human rights.

245. Starting from the situation described above, the democratic Government has emphasized social investment as a cornerstone of its development strategy, advancing resolutely towards a society gleaning the benefits of the development of all its members, especially children and young people. Cooperation between the State and civil society will be vital to this endeavour, particularly considering the immense contribution which such cooperation already makes in many areas relevant to the life of children and young people in Chile.

246. Full implementation of the Convention entails the need to overcome the gaps, inconsistencies and inadequacies of current legislation and judicial practice, with the aim of making the child a subject of law, both from the standpoint of legislation and from that of daily life. This process of legal harmonization is a requirement for the development of an adequate social policy for children and young people.

247. One central challenge which will have to be tackled in the near future is the need for institutional coordination and development in the context of public policies for children, as well as the establishment and enhancement of institutional facilities permitting joint action by the State and civil society. In practice, there is a considerable amount of dispersion within the public sector, with the coexistence of a large number of institutions working on behalf of minors, which moreover, are attached to various sectors or ministries with varying levels of territorial jurisdiction. In this context, Chile must progress towards the establishment of mechanisms and bodies permitting a comprehensive approach to the problems of children.

248. However, the challenge of institutional coordination and development must be tackled not only at the national level but also, and particularly emphatically, at the regional and municipal level, with the aim of achieving a comprehensive approach to the problems of children and young people and grasping and resolving them in their place of origin. In this connection, efforts should be made to develop bodies for cooperation at the regional and municipal level in support of children.

249. As part of the process of national decentralization, the regional and municipal Governments are being given greater administrative and financial autonomy. The ability of the community to organize itself in support of its children, so as to improve their living conditions and their quality of life, will therefore be increasingly important. Accordingly, the institutional challenge is closely linked to the decentralization of the State, within the perspective of a global redefinition of the State's existing structure, in the sphere of social policy.

250. It should be pointed out that there is currently considerable debate regarding the future institutions which the country should have in the area of social policy in general, and policy regarding children and young people in particular. One feature common to the various options proposed is that the new institutional system should emphasize improved utilization of the existing capacities and resources of the many public institutions connected with children and young people, encompassing both public and private activities permitting maximum impact in traditional areas of action (health, nutrition and education), and that those emerging problems to which the State does not

now have a coherent response and which require joint action with civil society (drug addiction, ill-treatment and abandonment of children, adolescent pregnancies, etc.) should also be tackled.

251. This report has provided an opportunity for a review of the legal situation of children and young people and of their main problems in respect of social risks, health, education and recreation.

252. With regard to the health of the child population, a positive trend can be discerned in the indicators for maternal and infant mortality, undernutrition and morbidity, although there are still many places where the indicators are very far below the satisfactory national averages. These considerable geographical differences in the basic indicators for maternal and child health have led health experts and authorities to seek new approaches to risk and services delivery, especially in the area of primary care. In addition, the country must further improve the quality of the care given, since there are still many deaths that could be avoided by strengthening prevention and treatment of acute respiratory infections and accidents in the home - the two main avoidable causes of death among children under the age of six.

253. Just as important as concern for the physical development of minors so as to see them safely through the most vulnerable stage of life is attending to their psychomotor and affective development, which should form part of regular health care and of what is known in Chile as "Child Health Control". To this end, the Ministry of Health has incorporated early stimulation and evaluation of psychomotor development in the primary care dispensed to children under the age of six. This type of care should continue to be improved, and its coverage and quality increased.

254. One area that has traditionally been overlooked in the health field is the mental health of the population, and especially that of children and young people. Through its mental health unit, the Ministry of Health launched a mental health programme in 1991 whose basic aim is to conduct preventive activities promoting the harmonious development of minors in a broader context of support for their families. Emphasis should be placed on emerging problems which particularly affect youngsters between the ages of 6 and 18, such as adolescent pregnancies, ill-treatment and abuse, alcoholism and drug addiction, expanding and developing the incipient existing programmes and promoting joint activities with civil society in the most decentralized possible form. It is also necessary to reinforce coordination between the Ministry of Health and the Ministry of Education, which are jointly conducting the programme "I want a drug-free life" in all parts of the country.

255. In the field of education, the main problem is the quality and equity of education rather than coverage, except in the case of preschool education. The Chilean Government's commitment, since 1990, to improving the quality and equity of education, has been translated into various programmes and activities designed to achieve the effective development of pre-primary, primary and secondary education. This has entailed the introduction of legislative, juridical, administrative, institutional infrastructure and

technical measures throughout the sector with the aim of alleviating difficult circumstances and problem situations which restrict the improvement of education.

256. With regard to care for preschool-age children, the low coverage at this level, a problem mainly affecting poor rural communities, is disturbing. To achieve a significant increase in coverage at this level, it will be necessary to create low-cost, efficient, unconventional alternatives involving the participation of families and the community and emphasizing coordination between the Ministry of Education and other public and private bodies attending to children of preschool age. There has been a sustained increase in basic education coverage. However, there are considerable differences in the quality of the education provided, which means that it is not an effective tool for ensuring children equality of future opportunity. The main problem of secondary education is that school curricula and courses are not adjusted to the needs of young people or to the country's socio-economic structure. Within the framework of the Government's priority objectives of improving pre-primary education coverage and overcoming the problems of quality and equity in primary and secondary education, a number of specific programmes designed to resolve these problems are being implemented, with emphasis on the participation of the school community in the educational process.

257. With regard to children at social risk, especially children in need, abandoned children and children in an irregular custody situation, the paramount duty of any Government is to ensure their protection and full development, and the body mainly responsible for doing so is the SENAME. In this connection, it is necessary to reorient the institutional structure of public policies towards the prevention, protection and rehabilitation of high-risk children, coordinating them with the activities of private agencies. SENAME's links with other public and private institutions will be vital for progress towards a solution to this problem. It should be pointed out that, in 1990, SENAME initiated a policy of increased contact with other organizations which has resulted in many joint programmes being conducted with public and private institutions, the emphasis being placed on the conduct of preventive activities and on the reintegration of minors in a particularly critical situation into the family and community.

258. At the moment, schemes for protecting and assisting children in particularly difficult circumstances or an irregular situation operate through closed institutions where children remain separated from their family and community for long periods of time, in many cases without a solution being found to the problem that gave rise to their admittance. There is also an evident lack of programmes seeking to address specific problems such as drug addiction, alcoholism, ill-treatment and street children. This emphasis on institutionalization in child-care policy has proved to be extremely expensive and to provide a low level of coverage in relation to care requirements; at the same time, its effects have frequently run counter to the aims of family and social reintegration.

259. In the light of this situation and with the advent of the new Government, an effort was made to make thoroughgoing changes in SENAME. They are inspired by an explicit recognition of the rights of children and of the family as their principal environment, and the active participation of the community, as significant elements in the social integration of children.

260. Lastly, against the background of the challenges facing the country, priority needs to be given, over the next five years, to efforts to implement the Convention. In the light of this report, it may be concluded that the following are among the leading priorities:

(a) Increased preschool care coverage for children under the age of six, particularly those from poor families, through unconventional alternatives emphasizing family and community participation;

(b) Prevention and care programmes for ill-treated children designed from a comprehensive perspective that incorporates the health, psychological, educational and legal dimensions;

(c) Resolution of the problem of persons under the age of 18 deprived of their freedom, involving more comprehensive policies for the prevention of conflict with the law and more extensive job training for young people in this category, with a view to removing all those who do not have a serious crime problem from institutionalized care;

(d) Formulation of programmes for the protection of street children and children at work, so as to promote their reintegration in the family and the community;

(e) Achievement of the targets for the decade which are included in the National Plan of Action in Favour of Children.

Statistical annex

Surface area (km^2)	1 250 000	
Density (inhabitants per km^2)	6.4	
GDP (billions of 1977 pesos)	509.3	1992 *
Annual inflation rate	12.7	1992 *
Total population	13 231 803	1992 **
Total population	13 044 164	1990 ***
Population under 6 years of age	1 597 167	1990 ***
Population, 6-14 years of age	2 124 394	1990 ***
Population, 15-18 years of age	1 056 655	1990 ***
Total non-indigent poor population	3 412 527	1990 ***
Non-indigent poor population under 6 years of age	532 732	1990 ***
Non-indigent poor population, 6-14 years of age	695 081	1990 ***
Non-indigent poor population, 15-18 years of age	314 015	1990 ***
Total indigent population	1 790 390	1990 ***
Indigent population under 6 years of age	317 423	1990 ***
Indigent population, 6-14 years of age	432 160	1990 ***
Indigent population, 15-18 years of age	164 029	1990 ***
Distribution of income by quintile		
20% highest (%)	54.7	1990 ***
40% lowest (%)	14.7	1990 ***
Literacy (%)	94.6	1990 ***
Life expectancy at birth (years)	72.0	1992 ****

Source:

* National Statistical Institute. Preliminary results of the XVIth National Population Census and the Vth Housing Census, 22 April 1992.

** Central Bank of Chile, Boletín No. 778, December 1992.

*** Ministry of Planning and Cooperation, CASEN 1990 survey.

**** National Statistical Institute and Ministry of Health.